

EXTENSIONS OF REMARKS

CLEVELAND SCHOOL VOUCHER PROGRAM DECLARED UNCONSTITUTIONAL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, today I am pleased to offer for the record my congratulations to Judge Eric L. Clay of the United States Court of Appeals for the Sixth Circuit, an outstanding judge, and a man who possesses a high degree of common sense and pragmatism. Judge Eric L. Clay ruled that the Cleveland school voucher program was unconstitutional, because it did not present parents with a real set of options, and few non-religious private schools and no suburban public schools had opened their doors. He wrote, and I quote, "This scheme involves the grant of state aid directly and predominately to the coffers of private, religious, schools, and it is unquestioned that these institutions incorporate religious concepts, motives, and themes into all facets of their educational planning." Judge Clay is a 1997 Clinton appointee.

Given the current national debate around school vouchers, his ruling is of critical importance to a full understanding of the issue. 82% of the citizens of Detroit recently held a referendum, and voted down the use of school vouchers. It is my firm belief all children should have the opportunity to attend first class public schools that have the highest academic standards, and the best learning environment possible. This can be best achieved by reducing class size, hiring more teachers, teaching phonics, implementing mentoring and after school academic enrichment programs, universal Head Start, increasing teacher's salaries, and creating a world class public school infrastructure. School vouchers is a panacea that will only benefit a small percentage of our kids, and therefore, should be discarded as a viable policy alternative once and for all.

A RULING VOIDS USE OF VOUCHERS IN OHIO SCHOOLS

[From the New York Times, Dec. 12, 2000]

By Jodi Wilgoren

A Federal Appeals court declared a Cleveland school voucher program unconstitutional yesterday, upholding a lower court ruling that the use of public money to send thousands of children to parochial schools breaches the First Amendment's separation of church and state.

The 2-to-1 decision, which included a vitriolic exchange among the judges, sets the stage for a United States Supreme Court showdown on one of the most contentious issues in education politics today. It comes a month after voters in Michigan and California roundly rejected school voucher programs in ballot initiatives and is the most significant legal decision yet on the question.

"We certainly hope everyone will get the message," said Robert H. Chanin, general counsel for the National Education Association, the nation's largest teacher's union,

who argued the case for a group of parents and teachers challenging the vouchers. "The message is, let's focus on improving the public schools and stop playing around with vouchers as a panacea."

In the ruling, Judge Eric L. Clay of the United States Court of Appeals for the Sixth Circuit said the Cleveland program did not present parents with a real set of options, because few nonreligious private schools and no suburban public schools had opened their doors. In 1999-2000, 96 percent of the 3,761 voucher students attended sectarian schools, receiving up to \$2,500 each to offset tuition.

"This scheme involves the grant of state aid directly and predominately to the coffers of private, religious schools, and it is unquestioned that these institutions incorporate religious concepts, motives and themes into all facets of their educational planning," wrote Judge Clay, a 1997 Clinton appointee who was joined in the opinion by a 1991 Bush appointee, Judge Eugene E. Siler.

"There is no neutral aid when that aid principally flows to religious institutions," the decision said, "nor is there truly 'private choice' when the available choices resulting from the program are predominantly religious."

Voucher supporters promised to appeal the ruling and expressed confidence about their chances at the high court, which has hinted at its openness to vouchers in recent years with several 5-to-4 decisions allowing public money to be used in parochial schools for textbooks, transportation and teachers' aides.

"The day of reckoning is drawing closer," said Clint Bolick, a lawyer for the Washington-based Institute for Justice, which helped defend the voucher program. "This decision is a disaster for every schoolchild in America, but it will be short-lived."

Students in the Cleveland program will probably be allowed to finish the year at their current schools, lawyers for both sides said. The Supreme Court has already intervened once in the case, to allow voucher recipients to remain in parochial schools pending the appeal, and an extension of that order is expected.

"Whatever I have to do to keep her there, I'm going to do that," said Roberta Kitchen, guardian for Toshika Bacon, who uses a voucher to attend a Christian school.

"If it means borrowing, second job, go further into debt, having to juggle my bills around," Ms. Kitchen said, "whatever I need to come up with that tuition."

Cleveland's voucher program, which gives precedence to low-income families, has been in litigation since it began in 1995 and has long been seen by both sides as the likely test case bound for the Supreme Court. The justices have already declined to review the nation's oldest and largest voucher program, which began in Milwaukee in 1990 and was upheld by the State Supreme Court in 1998. In Florida, the legal battle over a statewide voucher program has focused so far on the mandate to provide public education, not the church-state question; a state appellate judge's ruling that the program is acceptable is being appealed to the Florida Supreme Court.

Apart from the constitutional disputes, the battle over vouchers concerns the very definition of the public-school system. A coalition of corporate philanthropists and improv-

erished parents back vouchers as a free-market solution to what they see as the failure of inner-city schools; the teachers' unions have spent millions of dollars fighting vouchers, which they and many educators believe would drain resources from the schools that most need them.

Vouchers were a main point of fissure in the education debate of this fall's presidential campaign. Vice President Al Gore vehemently opposes the use of any public money for private schools, while Gov. George W. Bush of Texas wants to give children in consistently failing schools \$1,500 in federal money to use however they like, including for tuition.

Yesterday's ruling in the Cleveland case, *Simmons-Harris v. Zelman*, comes a year after a lower-court federal judge struck down the program, saying it had "the effect of advancing religion through government-sponsored religious indoctrination."

Judges Clay and Siler acknowledged in their opinion that vouchers had been "the subject of intense political and public commentary, discussion and attention in recent years" but said they could not take part in the "academic discourse on practical solutions to the problem of failing schools."

Instead, they based their opinion largely on a 1973 Supreme Court ruling in a New York case, *Committee for Public Education v. Nyquist*, which rejected a tuition-reimbursement program for parents of private school students. Yesterday's ruling also pays close attention to the concurring opinion of Justice Sandra Day O'Connor—widely seen as the swing vote on vouchers—in a case from last term, *Mitchell v. Helms*, which upheld the purchase of computers for parochial schools.

"The voucher program at issue constitutes the type of 'direct monetary subsidies to religious institutions' that Justice O'Connor found impermissible," the Sixth Circuit judges said. "To approve this program would approve the actual diversion of government aid to religious institutions in endorsement of religious education, something 'in tension' with the precedents of the Supreme Court."

Judge James L. Ryan, appointed to the bench by President Ronald Reagan in 1985, submitted a sharp dissent accusing his fellow judges of "nativist bigotry" and denouncing the quality of Cleveland's public schools. He argued that the Supreme Court's rulings since the *Nyquist* case suggested a shift in thinking on subsidies to private and parochial schools and called the majority opinion "absurd" and "meritless."

"In striking down this statute today, the majority perpetuates the long history of lower federal court hostility to educational choice," Judge Ryan wrote, going on to call the ruling "an exercise in raw judicial power having no basis in the First Amendment or in the Supreme Court's Establishment Clause jurisprudence."

Judge Ryan's harsh words prompted the same from his colleagues. The majority complained of "hyperbole" and "gratuitous insults," saying "it is the dissent and its rhetoric which should not be taken seriously."

Gov. Bob Taft of Ohio, a Republican, declined to comment on the case, other than to express disappointment, as did the state's top education official, Susan Tave Zelman, who is named as a defendant. Neither Cleveland's mayor, Michael R. White, nor Barbara

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Byrd-Bennett, the chief executive officer of the Cleveland Municipal School District, could be reached for comment.

Betty D. Montgomery, Ohio's attorney general, released a statement saying, "The voucher pilot program empowers low-income Cleveland-area families whose children are trapped in a failing public school system."

As thousands of Cleveland families wondered how the decision might affect them, the combatants in the nation's voucher wars unleashed a sheaf of faxes celebrating or criticizing the latest legal salvo.

"This is a great early Christmas present for America's public schools and our constitutional principles," Barry W. Lynn, executive director of Americans United for Separation of Church and State, said in a press release.

The Center for Education Reform, a conservative group in Washington, described the Cleveland program as a "lifeline for thousands of disadvantaged young people."

"We've always believed and continue to believe that parents are a child's first teacher," said the group's president, Jeanne Allen. "And as such they and only they should decide where and how their children are educated."

On the other side was Ralph G. Neas, president of People for the American Way Foundation, who hailed the ruling as "a victory for the First Amendment and a victory for public education."

But it was a defeat for Mr. Bolick of the Institute for Justice. "The same Constitution that guarantees educational opportunities has been turned on its head to subvert them," he said.

CONGO: THE HEART OF DARKNESS?

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WOLF. Mr. Speaker, I want to share with you this informative article from *The Economist* magazine that describes the critical problems facing the Congo and the Great Lakes region of Africa. The humanitarian crisis in the Congo is startling as between 1.7–2 million people have died in the past several months. Thirty percent of those who died were under the age of 5. Clearly, the situation in the Congo deserves the attention of the West and I hope every Member will have an opportunity to read this article.

[From the *Economist*, Dec. 9, 2000]

IN THE HEART OF DARKNESS

The hefty cargo plane grinds on across Africa, the deafening monotony of its engines never changing. The hold is stuffed with drums of fuel and crates of ammunition, spare parts for weapons and medical supplies. Perched among them are a dozen soldiers, one of whom is carrying a suitcase full of dollars. Three young women, one of them with a child, crouch among the drums with wrapped-up bundles, a couple of live chickens and several bunches of bananas.

The old Russian-made plane is flown by Ukrainians. They and the plane have been rented in Kiev by a Greek entrepreneur who also deals in coffee, timber and arms. This time he has hired it out to the Ugandan army, but it could have been made available to any one of the seven national armies at war in Congo. His business prospects look good. Peace is impossible just now.

Below, the forest stretches to the horizon in all directions, a vast head of dark trees

broken only by state-coloured rivers. Look down two hours later, and nothing has changed. It is as if the plane hasn't moved. Congo is big. Lay a map of Europe across Congo, with London at its western end, and the eastern border falls 200 miles beyond Moscow.

War in Congo does not involve huge armies and terrible battles, but a few guns can send hundreds of thousands fleeing their homes. It threatens Congo's nine neighbours with destabilisation, and with thousands of refugees pouring into their border areas. In the first week of December alone, by UN estimates, more than 60,000 refugees fled into Zambia from fighting that has just delivered the town of Pweto to Congo's anti-government rebels. War in Congo means a generation growing up without inoculation or education and the rapid spread of AIDS, the camp-follower of war in Africa. A recent United Nations report described Congo's war as one of the world's worst humanitarian crises, affecting some 16m people.

THE LEGACY OF GREED

Congo was only briefly a nation state. For most of history it was a blank on the map, luring in the greedy and unwary. It was first pillaged by the slave kingdoms and foreign slavers; then by predators looking for ivory, rubber, timber, copper, gold and diamonds.

Leopold, king of the Belgians, grabbed it in 1885 to make himself a private kingdom. That sparked the imperial takeover of Africa by Europeans at the end of the 19th century.

Leopold's agents cut off hands and heads to force the inhabitants to deliver its riches to him. Then came Belgian state rulers. They built some roads and brought in health and education programmes, but blocked any political development. When Congo was pitched into independence in 1960, there was chaos.

Congo nearly broke up; then out of the chaos came Mobutu Sese Seko, one of the more grotesque rulers of independent Africa. America and Europe supported him because he was anti-communist; but he was Leopold's true successor, regarding the country as his personal possession. He renamed it Zaire, used the treasury as his bank account and ruled by allowing supporters and rivals to feed off the state. If they became too greedy or powerful, he would have them thrown into prison for a while before being given another post to plunder. On two occasions he encouraged his unpaid, disgruntled soldiers to satisfy themselves by looting the cities. He built himself palaces and allowed the roads the Belgians had built to disintegrate. This helped break up Congo into fiefs. When Mobutu's rule ended in 1997, the nation state was dead. The only national organisation was the Catholic church.

One of his fiefs was Hutu-ruled Rwanda. Mobutu called its president, Juvenal Habyarimana, his baby brother. In 1994 Habyarimana was killed in a plane crash, and the rump of his regime carried out genocide against Rwanda's Tutsi minority. But, with Ugandan help, the Tutsis triumphed. The old Rwandan army and the gangs of killers fled into Congo, where Mobutu gave them shelter and weapons. In 1996 the new Tutsi-dominated Rwandan army crossed the border and attacked the Hutu camps, intending to set up a buffer zone to protect its western border. The attack worked better than anticipated and the Rwandans, Ugandans and their Congolese allies kept walking westwards until they took the capital, Kinshasa. Mortally ill, Mobutu fled and the Rwandans installed Laurent Kabila as president.

A year later, Mr. Kabila tried to wriggle out of the control of the Rwandans and Ugandans. He allied himself with their enemies, the Hutu militias in eastern Congo. In response they launched another rebellion to

try to dislodge him. But this time Angola, Zimbabwe, Namibia, Sudan and Chad sent troops to defend him. They said they were acting on principle, to protect a neighbouring state from invasion. The war reached a stalemate with the country divided. In the western half,

Mr. Kabila was backed by Zimbabwe, Angola and Namibia (Sudan and Chad withdrew). The east was controlled by three rebel movements and their creators and controllers, Uganda and Rwanda. Burundi also has troops in Congo allied to the Rwandans, but these stay close to the Burundi border.

In June and July last year, a peace agreement was signed in Lusaka by the government of Congo, the three rebel groups and five intervening nations. It provided a timetable for a ceasefire, the deployment of African military observers supported by UN monitors, the disarming of "negative forces" (the militia gangs that roam eastern Congo), and the eventual withdrawal of all foreign forces. It also prescribed a national dialogue between Mr. Kabila and the armed and unarmed opposition.

NEIGHBOURS ON THE TAKE

Unsurprisingly, it has not worked. The ceasefire has been persistently broken by all sides, most recently with the fighting around Pweto. Although the defense chiefs of six of the intervening countries, led by Zimbabwe, and several rebel groups signed a deal in Harare on December 6th to pull back their forces from front-line positions, it is still unlikely to happen. The exploitation of the country by the intervening armies reinforces the imperialist nature of the invasion, as do their disparaging comments about the Congo * * * "A hopeless people," remarked one Rwandan. "All they want to do is drink and dance."

Each of the interveners in Congo has complex and different reasons for being there. At one level, they have been sucked into the vacuum; social and population pressure east of Congo has drawn the neighbours towards a country with few people for its size and no state structures. But each also had internal political reasons for going to Congo.

The Rwandans want to track down the perpetrators of genocide and either drive them back to Rwanda or kill them. The success of the 1996 invasion and American support has made them over-confident. President Yoweri Museveni of Uganda also has ambitions bigger than his own country. He wants the economy of eastern Congo to link up with East Africa, and wants to replicate his own political system in Congo. The rebel Movement for the Liberation of Congo (MLC) was created by Uganda, and mimics Mr. Museveni's political analysis and ideology.

On the other side, Mr. Kabila's allies also have domestic reasons for being in Congo. Sudan, engaged in a proxy war with Uganda, wanted another way to attack it. Angola wanted to get into Congo to stop its own rebel movement, UNITA, from using Congolese territory as a supply route and rear base. Namibia got involved because it is indebted to Angola. President Robert Mugabe of Zimbabwe, jealous of South Africa's new power in southern Africa, wanted to make himself the region's military leader. Others loiter in the background: North Korea has sent some 400 soldiers to help train Mr. Kabila's fledgling army and tons of weapons, reportedly in exchange for future sales of copper, cobalt and uranium.

Many western diplomats and analysts, as well as most Congolese, suspect that America is secretly funding Rwanda and Uganda. State Department officials deny this, but it is hard to see how these poor countries can fight without outside resources. Their meagre defence budgets (Uganda's is allegedly

\$100m this year) cannot possibly sustain their operations in Congo.

Once in Congo, the interveners found commercial reasons to stay. The war has created huge business opportunities which have obscured its primary, political, cause. Hundreds of dodgy businessmen, mercenaries, arms dealers and security companies have come to the region. Diamonds are a big prize and the main source of foreign exchange for Mr. Kabila. It is hardly surprising that the war ground to a halt around Mbuji-Mayi, the main diamond-producing area. Congo pays for Zimbabwe's presence with a diamond-mine concession. It has also formed a joint oil company with Angola.

Senior military officers from all the armies, as well as their political cronies back home, make money trading diamonds, gold, coffee and timber, and from contracts to feed and supply their troops. They have little interest in peace. Local and foreign businessmen often pay them to provide troops to guard a valuable mine or a farm. The Kilo Moto gold mine in Kivu has been taken over by freelance diggers, but the entrance is guarded by Ugandan soldiers who tax them. Kigali and Kampala are crawling with diamond dealers and others looking for Congo's rare minerals, such as tantalite and niobium. The loot is not confined to minerals. One Ugandan unit, returning from Congo, caused fury in both countries by having their newly acquired Congolese wives and girlfriends flown home with them at government expense. War booty, said chauvinistic Ugandan politicians. Rape and theft, said Congolese men.

THE KABILA DISASTER

When Laurent Kabila was catapulted to power by Uganda and Rwanda, everyone thought Congo would change. He could hardly do worse than Mobutu, they argued. Perhaps he would turn into one of the much-vaunted "new leaders" of Africa. He had few enemies. Everyone wanted to help him rebuild Congo. Sadly, he turned out to be little more than an outsize village chief, adept at staying in power, but with no vision and a deep distrust of competence. He has surrounded himself with relatives, friends and oddballs he scooped up on his march to Kinshasa. Mentally he is stuck in the cold war of the early 1960s, imagining global plots against Congo.

The formal economy is dead. Nor far from the central bank in central Kinshasa, carefully tended cabbages have sprung from a small patch of waste ground by the roadside. Nearby, families having moved into the ruins of a half-built office block, hanging their washing over the abandoned concrete pillars and cooking on open fires on the floors of rooms designed for board meetings. Only about 20% of the city's 4m-5m people have jobs. Most of these pay, if at all, about \$8 or \$9 a month. The city has little fuel, so people get up before dawn to walk to work. Most eat nothing all day, then return on foot to the one daily meal of cassave porridge or bread. Less than 30% of the capital's children are in school and few can afford medicine if they are ill.

Mr. Kabila blames all this on the war. It has more to do with his old-fashioned statist policies and his arbitrary way of handing out contracts and concessions and then canceling them. That has frightened off foreign companies. So has his policy of locking up foreigners and demanding ransom. Heineken, a Dutch brewing company, recently paid \$1m in cash to the finance minister to secure the release of its two senior executives in Kinshasa. Maurice Templesman, an American diamond dealer, also lost millions of dollars when his staff were seized and thrown out of the country. One foreign security

company in Kinshasa says its best new business is negotiating the release of foreign nationals arrested by the government.

Mobutu played the country and its political elite like a chess master. Mr. Kabila tries the same techniques; putting people in power or in prison and playing the ethnic card. But he is no expert. Long in exile, he barely understands Congo. There have been splits and mutinies in his fledgling army and his ministers are at each other's throats. Only in the south-east, his home territory, does he still have some support. The impoverished people of Kinshasa despise him, but will not demonstrate against him for fear of being accused of supporting the rebel movements—which they do not.

Mr. Kabila is currently trying to get the Lusaka accord rewritten. He has blocked the development of UN military observers and humiliated and rejected Ketumile Masire, the former Botswanan president, who was appointed to organize a national dialogue. He even failed to turn up at meetings with his backers, Angola and Zimbabwe. President Eduardo dos Santos of Angola warned him in August that he had "had enough of his arrogance", and that the allies would withdraw from Congo if he continued to obstruct the peacemakers. But Mr. dos Santos knows there is, as yet, no alternative to Mr. Kabila and that there would be chaos if the allies withdrew now.

That is the crux of the problem. Mr. Kabila has failed, but there is no one else who enjoys national support or looks remotely capable of pulling the country together. Mobutu ensured that every politician in Congo was smeared with his corruption. Nor do the rebel movements present an alternative. The Congolese Rally for Democracy (RCD) split apart, with one faction supported by Uganda and the other by Rwanda. Uganda then launched the MLC and, in June, the former allies fought a full-scale battle in Kisangani for six days, destroying much of the town's centre and killing 619 civilians. This engagement also destroyed the credibility of the two leaders, Mr. Museveni and Rwanda's president, Paul Kagame, in Congo. America and western countries were furious with them and blocked Uganda's promised debt relief as punishment.

Both factions of the RCD are now deeply unpopular in their own areas. The clumsy intervention of Rwanda and Uganda in South and North Kivu has stirred up bitter ethnic rivalry. Much of this region suffers from the same Hutu-Tutsi divisions that exist in Rwanda and Burundi. The intervention has upset the fragile balance, and the region flares with massacre and counter-massacre.

Local communities have tried to defend themselves against all outsiders by forming self-defense militias, but many of these have degenerated into wandering gangs of mercenaries and bandits, the "negative forces" of the Lusaka accord. Some are linked to Rwandan Hutus, some fight against them. Mr. Kabila is fanning the flames by sending them weapons across Lake Tanganyika. The Kivus are now a horrendous mess of wars and sub-wars that will burn on long after the national war is over.

In northern Congo, the picture is slightly better. Jean-Pierre Bemba, the young MLC leader and a businessman, is popular there because his Ugandan-run army is fairly disciplined and, in Mobutu's home area, he is seen as his successor. It is a label he vigorously rejects, since he knows it will kill support for him in other places.

WHAT HAPPENS NEXT

The present situation is deadlocked and unstable. The UN will not deploy its forces until it is convinced that all parties are serious about peace, but the "negative forces",

Hutu militias, gangs and others have signed no ceasefire and have little interest in peace. That means the foreign forces cannot fulfill the Lusaka accord and leave. But their governments, even the oil-rich Angolans, are worried about the cost. They are all engaging in bilateral talks with each other; but that increases mistrust and suspicion.

The Rwandans, realising how unpopular they are in Congo, have given up hope of overthrowing Mr. Kabila and instead have offered to withdraw their troops to the Kivus. Zimbabwe, hard-pressed by domestic problems, wants its 12,000 troops out as soon as there is a face-saving formula. Their departure could destabilise Mr. Kabila. Maybe the Angolans, left holding the fort, will remove him. At present they seem to be trying to bring in Mr. Bemba and a representative of the unarmed opposition to create a trumvirate with Mr. Kabila. To achieve this, the Angolans have to trust Mr. Bemba's backer, Uganda. They don't, because Uganda has been a conduit for arms to UNITA rebels in Angola. Besides, the Ugandan army and the MLC are still pushing westwards towards the strategic city of Mbandaka, garrisoned by Angolans.

And what of the Congolese people in all this? Impoverished, disregarded and oppressed, they still give one clear message almost unanimously in every conversation: they do not want Congo to break up. But the long decomposition of this vast country seems inevitable, whoever rules in Kinshasa.

This war could rumble on for years, if not decades. The Lusaka accord, concedes a senior UN representative, is not going to work; but no one has a better plan. The best he can suggest is that outsiders remain engaged, help the victims, try to understand what is happening—and make it worse. Congo's experience of outsiders is, to put it mildly, discouraging.

REPORT ON THE DEPARTMENT OF JUSTICE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WAXMAN. Mr. Speaker, this fall, the House Government Reform Committee majority released a report on the Department of Justice that contains numerous inaccuracies and that unfairly smears several individuals. The minority filed views that discuss the unsubstantiated allegations in the majority's report.

The majority's report prompted letters from one of the individuals named in the report, and from an attorney for another of the individuals named. Both letters take issue with the majority's assertions. In the interest of a complete record on this matter, I submit into the RECORD a December 11, 2000, letter from C. Boyden Gray, and an October 31, 2000, letter from Barry B. Langberg.

WILMER, CUTLER & PICKERING,
Washington, DC, December 11, 2000.

Hon. DAN BURTON,
Chairman, Committee on Government Reform,
House of Representatives, Rayburn House
Office Building, Washington, DC.

DEAR MR. CHAIRMAN: We were dismayed to see your Committee Report, "Janet Reno's Stewardship of the Justice Department," made final without providing us with the right to review and comment as promised in response to my letter of September 21, 2000. Accordingly, there is no point in detailing

here the errors in that Report that we would otherwise have identified.

We would nevertheless make the following observations which we would hope you could make part of the record: (1) as the Minority Report makes clear, Rebekah Poston never asked her investigators to do anything illegal ("In fact, contrary to the Majority's allegations, no evidence received in the Committee demonstrates that Ms. Poston instructed private investigators to break the law"); (2) throughout the hearing, the two investigators at issue, Philip Manuel and Richard Lucas, each testified under oath that Ms. Poston had never asked them to do anything which they thought was illegal; (3) the Department of Justice ultimately granted her request for information by informing her that there was no information to provide in any event; and (4) it was entirely improper to hold and structure a hearing for the evident and sole purpose of provoking a claim of Fifth Amendment rights in order to create the impression that Ms. Poston had done something improper.

Accordingly, we respectfully request that you include this letter as part of the Congressional RECORD relating to the above-described report.

Sincerely,

C. BOYDEN GRAY.

STROOCK & STROOCK & LAVAN,
Los Angeles, CA, October 31, 2000.

Hon. DAN BURTON,
Committee on Government Reform, Rayburn
House Office Building, Washington, DC.

Hon. HENRY A. WAXMAN,
Rayburn House Office Building, Washington,
DC.

DEAR CHAIRMAN BURTON AND REPRESENTATIVE WAXMAN: I represent Soka Gakkai, a lay Buddhist association with more than 10 million members. Soka Gakkai and I are both mentioned in Chapter IV of the Committee's report on "Janet Reno's Stewardship of the Justice Department." Without waiving any applicable privilege, I write to bring to the Committee's attention serious flaws in Chapter IV, which contains numerous demonstrable factual errors, and recklessly accuses private individuals of criminal wrongdoing without any pretense of due process or any substantive evidence. Chapter IV overstates its conclusions and ignores errors and omissions in the investigation.

The report acknowledges that the issues discussed in Chapter IV relate indirectly to litigation in Japan between Nikken Abe and Nichiren Shoshu, on the one hand and my client, Soka Gakkai, on the other. E.g., p. 161. It appears from various sources, including the report's Exhibit 56, that representatives of Nikken Abe and Nichiren Shoshu have had contact with the Committee staff, in an attempt to have the Committee issue a report that would be helpful to their position in the Japanese litigation. The three-judge panel of the Japanese trial court has already ruled unequivocally in favor of Soka Gakkai in that litigation, finding that the position of Nichiren Shoshu and the testimony of Nikken Abe were not credible. The matter is now on appeal and the efforts of Nichiren Shoshu's representatives to influence the Committee are simply an attempt by the losing side to use the Committee to influence the Japanese appellate process. The Committee should guard against such abuse of its processes.

More specific errors include:

1. The report recklessly accuses several private individuals of crimes, including several whom the staff never interviewed. The report accuses several individuals of committing serious crimes. It also accuses others of misleading the Committee. Such

charges, cloaked with the authority of the Committee, are outrageous when made with so little concern for fairness or due process. It is significant that the report modifies many of its charges with qualifiers like "apparently" or "possibly" (e.g., p. 162), but that does not excuse such reckless charges. Simply put, there is no evidence that Soka Gakkai, Jack Palladino or I committed any crime or engaged in any improper activity whatsoever. As the report acknowledges, the staff failed even to interview Mr. Palladino or me about our role in this matter. Id. n. 801. These charges are particularly objectionable because they are not even relevant to the report's central thesis, that Ms. Poston and others working at her direction received favorable treatment at the hands of the Justice Department. E.g., pp. 159-60. Thus, these serious attacks are made almost casually, without any claim or relevance to any public purpose.

In fact, even a preliminary investigation would have revealed that the so-called "reliable source," Richard Lucas, never met with Mr. Palladino or discussed with him any of the facts or issues concerning this matter. Further, an investigation would also have shown that I had no personal involvement with the activity criticized in the report.

2. The report repeatedly relies on a witness who lacks credibility. Many assertions in the report—including many of the most misleading, erroneous or otherwise objectionable assertions—are cited only to Mr. Lucas. E.g., notes 799, 806, 814, 822-24. Mr. Lucas is not a credible witness for several reasons: much of his story to the Committee is contradicted by his own sworn affidavit; he is apparently engaged in a legal dispute with one of the Committee's other witnesses and thus has an incentive to blame that witness for his own conduct; and he committed a conscious and intentional breach of his contractual and ethical obligations to the Steel Hector & Davis law firm. After having been retained by the law firm, he entered into a relationship with individuals hostile to the firm and the interests of its clients, and repeatedly breached his ethical and contractual obligations by secretly and systematically providing the opposing side in a litigation matter confidential information about the law firm's and client's activities.

A further sign that Mr. Lucas is simply not reliable is that he authored several memoranda under a pseudonym, "Michael Wilson." The report never discloses that fact. The report also frequently relies on these memoranda, without any other corroborating evidence. E.g., notes 831, 832, 837. That Mr. Lucas felt compelled to write memoranda under a pseudonym, in a complete departure from ordinary business practice, seriously undermines his credibility and shows that Mr. Lucas understood there was something about his conduct that needed to be hidden. Moreover, the memoranda themselves demonstrate that Mr. Lucas was violating his contractual and ethical duties to the Steel Hector & Davis law firm, and thus are independently not worthy of belief.

Significantly, the report itself accuses Mr. Lucas of criminal misconduct. E.g., p. 168.

3. The report contains sensational charges that it fails to support. The report's headings repeatedly charge individuals or organizations with illegal acts. E.g., p. 162 ("Soka Gakkai Illegally Obtains Information on Nobuo Abe Through Jack Palladino"); p. 163 ("Poston Requests Her Private Investigators To Break The Law"). Those inflammatory headings are not supported by the text. For example, the passage about Mr. Palladino is modified by the word "apparently," and it is sourced only to Mr. Lucas, the tainted witness; as the report concedes in the very next footnote, it did not even bother to discuss

this allegation with Mr. Palladino. Mr. Palladino has publicly stated that he had nothing to do with illegally obtaining any information about Nobuo Abe and had no involvement with obtaining information from any federal source whatsoever. Similarly, Ms. Poston testified that she at no time asked her investigators to break the law.

4. The report lends unmerited credibility to mere speculation. The report seeks to suggest that an employee of the Bureau of Prisons "planted" a fabricated record in the NCIC involving an arrest in Seattle in 1963. The report recognizes this as "speculation," and attributes it to some unnamed "individuals involved in the case," p. 162. There is no evidence to support this speculative theory, and again the staff failed to perform any of the investigative work—such as interviewing knowledgeable law enforcement officials from the Seattle area—that would have helped clarify these facts. The report's careless presentation of the speculation may be injurious to the parties to the lawsuit in Japan—a lawsuit that, once again, the report specifically acknowledges, p. 161.

I ask that the report be corrected in light of this information, or, at a minimum, that this letter be made part of any final report issued by the Committee.

Yours very truly,

BARRY B. LANGBERG.

TRIBUTE TO CHAIRMAN JOHN HICKS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. GILMAN. Mr. Speaker, I am honored to pay tribute to a remarkable constituent who has dedicated his life to serving others.

John S. Hicks, an attorney in my Congressional District whose offices are located in Chester, New York, has been Chairman of the Republican County Committee of Orange County, NY, since 1995. In that capacity, he has diligently worked to build a strong two party system in our country. John never lost sight of the fact that his only motivation for politics is good government.

John encouraged delivering the Republican message by providing a full time Republican Party Headquarters, and by publishing a supplement to our local daily newspaper which he entitled "The Eagle" and which has been an effective vehicle to publicize the principles of our party and the activities of our candidates.

John Hicks, who is a native of Fayetteville, North Carolina, has been a resident of Warwick, NY since he was five years old. A product of the public school system of Warwick, and a graduate of Colgate University and Albany Law School, he has been engaged in the practice of law since 1977.

In 1964, John registered to vote as a Republican at the age of 21, and maintained his dedication to Republican policies during and after his three year stint in the Army during the Vietnam era.

John is a Member of the American, New York and Orange County Bar Associations. He is active with the National Federation of Independent Businesses, the U.S. and the Orange County Chambers of Commerce. He is also active in Warwick's Rotary, the Warwick Community Bandwagon, and the Orange County Citizens Foundation. John also serves on the

Board of Directors of the Orange County United Way and the Arden Hill Hospital, and is a life member of the American Legion.

John and his lovely wife, Judy, are the proud parents of Michael (a West Point graduate), Deanna, Stephanie, Mark, Lisa and Jeffrey.

On Feb. 2, 2001, the Town of Newburgh Republican Committee at their annual Lincoln Day Dinner will honor John as their designee as the "Republican of the Year". Their recognition is long overdue, for John Hicks has long personified the ideal of political work as a public trust.

Mr. Speaker, I invite our colleagues to join with me in congratulating John S. Hicks, Esq., for this honor and for a job well done.

GEORGIA REGULATOR TO LEAD INVESTIGATION INTO INSURER'S RATES FOR BLACK CUSTOMERS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, today I wish to commend John W. Oxendine, Georgia Insurance Commissioner who will pursue to multistate investigation of Life Insurance Co. of Georgia, which if proven true, represents a very serious matter, and subsequently needs to be dealt with. African-Americans make up a large percentage of the company's policyholders. Evidence gathered by state examiners showed the Atlanta company, a unit of Dutch INC Group NV, continued at least until recently, to charge African-Americans higher rates than whites on identical policies sold as late as the 1980's. Historically, records have shown that through the first half of the century, U.S. life insurers typically either didn't market to African-Americans or charged them higher rates based on mortality tables that showed a shorter life expectancy for African-Americans. The discriminatory treatment however, was through to have been scrapped in the early 1960's, because of U.S. Supreme Court rulings and the impact of the civil rights movement.

I submit the following article from the Wall Street Journal.

[From the Wall Street Journal Dec. 15, 2000]
GEORGIA REGULATORY TO LEAD INVESTIGATION INTO INSURER'S RATES FOR BLACK CUSTOMERS

(By Scot J. Paltrow)

Georgia's insurance department said it will lead a multistate investigation of Life Insurance Co. of Georgia, after initial inquiries showed the company systematically had charged higher, race-based premiums to African-American customers.

Georgia Insurance Commissioner John W. Oxendine said [evidence gathered by state examiners showed the Atlanta company, a unit of Dutch ING Group NV, continued at least until recently to charge blacks higher rates than whites on identical policies sold as late as the 1980s.]

Life of Georgia was one of the companies cited in a Wall Street Journal page-one story in April, which reported that some life insurers had continued to charge higher premiums to African-Americans on small policies formally known as "industrial insurance." A former Life of Georgia actuary was quoted as saying discrimination premiums continued to be charged by the company well after

most other insurers had halted the practice in the 1960s. Florida regulators earlier this year initiated the inquiry into Life of Georgia as well as more than 25 other companies. A lawsuit on behalf of black policyholders is pending against Life of Georgia in federal court in Florida.

Life of Georgia has strongly denied the allegations. Officials at Life of Georgia, at ING's North American headquarters in Atlanta and at the parent company's headquarters in Amsterdam, didn't respond to telephone calls. In an interview in April, Life of Georgia Chief Counsel Jeffrey B. McClellan said, "our position is that no discriminatory rates were ever employed" by the company.

Historical records show that through the first half of the 20th century, U.S. life insurers typically either didn't market to African-Americans or charged them higher rates based on mortality tables that showed a shorter life expectancy for blacks. The discriminatory treatment, however, was thought to have been scrapped in the early 1960's, because of U.S. Supreme Court rulings and the impact of the civil-rights movement.

In June, Houston's American General Corp. agreed to pay more than \$215 million to settle investigations by Florida and other states and a civil lawsuit which alleged the company had continued until this year to charge higher race-based premiums on about 1.2 million policies held by blacks.

Mr. Oxendine said that based on examiners' initial findings, the Life of Georgia investigation will include all types of insurance sold by Life of Georgia. He said it was too early to estimate the number of policies or amount of money involved. [But he said African-Americans make up a large percentage of the company's policyholders.]

The investigation is being conducted on behalf of all 50 states. The company's business is licensed to sell in 30 states and has policyholders in all states, the Georgia department said.

HONORING THE SERVICE OF OCTAVIA LUCINDA OLIVER ROSS AS DISTINGUISHED EDUCATOR AND A COMMUNITY ACTIVIST

HON. DONNA MC CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mrs. CHRISTENSEN. Mr. Speaker, today I pay tribute to Octavia Lucinda Oliver Ross, who was a distinguished educator, devoted mother and community activist in my St. Croix district of the Territory of the Virgin Islands.

Octavia Ross was born into and became a part of an outstanding family educational legacy in the Virgin Islands. Her late father, Emanuel Benjamin Oliver was also a teacher, and a school on the island of St. Thomas bears his name. After teaching at the Federal Nursery School, Octavia Ross began her career as an instructor in public school system. She served as a teacher at almost all grade levels, elementary as well as secondary and worked at the junior high and intermediate grade levels. Most of her teaching career was spent as a first grade teacher at the Frederiksted Public Grammar School and the Claude O. Markoe School. Mrs. Ross enrolled in various training sessions with the Polytechnic Institute of St. Croix and pursued additional training at Inter American University in Puerto Rico.

On January 25, 1964, Octavia Ross obtained her Bachelor of Science Degree from Hampton University, followed by a period in which she did post graduate work in Supervision and Administration. Upon returning to St. Croix she was instrumental in initiating and directing the Bilingual/Bicultural and the Academically-talented Programs. Mrs. Ross became an assistant principal at the Charles H. Emanuel and the Alexander Henderson Schools. She became the first principal of the Evelyn Williams Elementary School, remaining there until her retirement at the completion of forth two years of meritorious service in the field of education. Octavia Ross, having been a star athlete in her youth, also instructed handicraft and athletics. There are many who strongly feel the sentiment that she devoted her life to the children of St. Croix as a teacher, assistant principal and principal.

Octavia Ross also made varied and vast contributions to the social well being of the Virgin Islands' community. Athletic activities during her youth caused her to participate in numerous inter-island meets, which may have been the beginning of her activity in the community. She has been credited with carrying the banner in the Business and Professional Women's Club, serving as both the local and state president. She was a delegate at the International Business and Professional Women's convention in Houston, Texas. In 1974, she received the Woman of the year Award. Octavia Ross was also the recipient of the Frederiksted Business and Professional Women's Achievement Award. In 1978 she was named the Mother of the Year Award by the Frederiksted Club and later received their Woman of Achievement Award. Octavia Ross was listed in the 1977 International "Who's Who in the West Indies, Bahamas and Bermuda," V. I. Section—Personalities of the Caribbean and was also listed in the 1979 edition of World "Who's Who Dictionary of International Biographies" and received the Paul Harris Fellow from the Rotary Club of St. Croix West.

The Governor of the Virgin Islands described her as having a graceful demeanor, a professional integrity and ladylike deportment that made her an exemplary and model teacher. Further, he stated that not only has Mrs. Ross made a significant contribution to the Virgin Islands as an educator in her own right, but also in the contributions of her offspring in the administrative, legislative, educational, legal, financial, civic, military and industrial areas of the community. Not surprisingly, Octavia Ross was a dedicated member of her church, the Saint Paul's Anglican Church, in addition to being a member of Episcopal Church Women's Organization and Member of the Vestry.

Octavia Ross was appreciated by the many whose lives she touched. Besides her husband Rupert W. Ross, Sr., she leaves to mourn her seven children: Rupert, Edgar, Raymond, James, Edward, Janice and Jewel; two step children, Randolph and Judy-Ann; fourteen grand children, fourteen great grand children; and a community recovering from her sudden passing. On behalf of the Congress of the United States of America, I salute Octavia Lucinda Oliver Ross for her dedicated service to her profession and the Territory of the U.S. Virgin Islands. I thank her husband Rupert, her seven children, two step children, fourteen grand children, fourteen great grand children

and a grateful community for sharing her with us.

TRIBUTE TO FATHER HILARY CONTI

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of a remarkable person from my district, Father Hilary Conti of Clifton, New Jersey, who celebrated on Saturday, October 28, 2000 fifty years of service and leadership in Clifton and round the country. It is only fitting that he be honored, for he has a long history of caring, generosity and commitment to others.

Father Hilary Conti was recognized for his many years of leadership in Clifton, which I have been honored to represent in Congress since 1997, and so it is appropriate that these words are immortalized in the annals of this greatest of all freely elected bodies.

Paul Karieakatt chronicled the history of Father Conti's service. As he noted, this year marks the 50th anniversary of Father Hilary Conti's priestly ordination. For fifty years he has engaged himself in the vineyard of the Lord, as a monk and as a priest. This is a truly special achievement.

Father Hilary was born in Fabriano, Italy on May 12, 1925 to Natale and Carmela Conti as their sixth child. Although it was filled with hard work, Father Conti enjoyed a beautiful childhood. On one occasion during WWII, all he had to eat was a discarded carrot. he worked as farmer, and fondly recalls those early days. In his own words he said, "My father went to look not for the lost sheep, but for the lost shepherd. It did not take him too long to find me."

Father Conti joined the monastery as an aspirant on September 29, 1938, made his novitiate in 1943 and his simple profession on October 1, 1944. On October 28, 1950, he was ordained a priest at St. Scholastica in Detroit, Michigan. As a student he helped to found *Inter Fratres* magazine.

Father Hilary taught for a short time at Mercy High School in Detroit. He has always been an active and involved leader. The time spent working in Michigan instilled in Father Conti the attributes necessary for him to become a stellar force in the community. It was the small steps in the beginning of his career that taught him the fundamentals that would make him a role model to the people that he now serves.

Later he took upon an even greater challenge and pioneered the establishment of a small monastery in Clifton. It is known as the Holy Face Monastery. It nourishes spiritual needs of the soul, gladdens the heart and inspires all those who visit. Of the works of art at the Holy Face Monastery the Shrine of Our Lady of Tears is Father Hilary's favorite. His late close friend, Mr. Canepa, created this masterpiece.

To describe in his own words his accomplished life, Father Conti wrote, "I planted many oak trees and saw them growing big and tall; now I am 70 years old, so I am pre-occupied about the future of the monastery." This shows his enduring love and relentless

commitment. Many people come to the monastery to search for the meaning of life, healing, peace and consolation.

Father Hilary has traveled around the country conducting seminars and talks explaining the Holy Shroud of Turin and its spirituality. He has also worked in Rome with many scientists, doctors and theologians on the shroud. He recently produced a video that explains the spirituality of the shroud.

Mr. Speaker, I ask that you join our colleagues, Father Hilary's fellow monks, supporters, the Holy Face Monastery, the City of Clifton and me in recognizing the outstanding and invaluable service to the community of Father Hilary Conti.

EUROPEAN UNION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. BEREUTER. Mr. Speaker, Benjamin Franklin once wrote in Poor Richard's Almanac, "Don't throw stones at your neighbors, if your own windows are glass." This sage advice written in 1736 is still current today and certainly applicable to those across the Atlantic who have focused on the problems in Florida and mocked the United States electoral system. While the closeness of the vote in Florida resulted in exercise of a constitutional process in the U.S. that has not had to have been used before, the challenges ahead for the European Union as it tries to integrate new members and address its own internal voting system are just beginning and may be far more difficult to resolve. In that regard, this Member recommends to his colleagues I submit the following editorial published by the Omaha World Herald on December 9, 2000, on this subject into the CONGRESSIONAL RECORD.

IF THE SHOE FITS, EU SHOULD WEAR IT

The Florida vote-could mess has triggered a month-long eruption of contemptuous tut-tutting from European leaders and commentators. Finger-wagging scolds from London, Paris and other centers of European enlightenment have taken particular aim at the Electoral College.

One columnist grumped in The Times of London: "What moral authority would a man have to hold his finger over the nuclear trigger when he owed his office not to a majority but the byproduct of a bankrupt electoral college?"

A German writer made do by simply calling the Electoral College "idiotic."

Scratch those European criticisms hard enough, however, and you uncover what could be called, at best, inconsistency and at worst hypocrisy.

It turns out that one of Europe's most revered institutions, the European Union, has long governed itself by the very principles associated with the Electoral College. That is, the decision-making process for the EU, an association of 15 European countries linked by close economic and political ties, is structured so that small countries are given tremendous added weight and, thus, influence.

The best illustration is shown by comparing the EU's largest member, Germany, to its smallest, Luxembourg. Germany, with 82 million inhabitants, has a population some 205 times that of Luxembourg's of

400,000 (which, coincidentally, is about the size of Omaha's municipal population).

If the seats that Luxembourg and Germany have on the Council of Ministers, one of the EU's governing bodies, were assigned in proportion to the two countries' actual populations, Luxembourg would control two seats and Germany would control 410. Instead, Luxembourg has two seats and Germany has 10.

The advantage given to smaller states is even greater in another EU institution, the European Commission. There, the five largest countries each have two seats, while the rest have one. That arrangement resembles the situation in the U.S. Senate, where small states are each accorded precisely the same number of seats as big states.

The EU gives its smallest members one more advantage, allowing any country, regardless of its size, to exercise a veto on decisions involving taxation and foreign policy.

In short, if Europeans deride the Electoral College's rules as "idiotic," they should say the same about those of the European Union.

In recent days the EU's governing rules have been under negotiation as part of the organization's plans to expand its membership to former members of the Soviet bloc and other candidate nations. Representatives from the EU's smallest members have put up quite a fight to defend the prerogatives they've traditionally enjoyed, and protesters have demonstrated on behalf of the same cause, although it appears some watering down of the small-state advantages will ultimately result.

If European commentators want to understand many of the arguments behind the Electoral College, they don't have to look to America. The debate over those principles is taking place in their own back yard.

TRIBUTE TO THE LATE GEORGE C. PAGE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WAXMAN. Mr. Speaker, the City of Los Angeles recently lost a generous philanthropist, Mr. George C. Page. Mr. Page was the founder of the George C. Page Museum of La Brea Discoveries and was a generous donor to Children's Hospital and Pepperdine University. I would like to take this opportunity to honor the contributions Mr. Page made to our community, and note in particular how influential his museum has been on the education of children of Los Angeles. I'd also like to submit for the record a copy of an article the Los Angeles Times ran on November 30, shortly after Mr. Page's death.

[From the Los Angeles Times, Nov. 30, 2000]

OBITUARY: GEORGE C. PAGE; PHILANTHROPIST
FOUNDED LA BREA MUSEUM

(By Myrna Oliver)

George C. Page, who hitchhiked to Los Angeles as a teenager with \$2.30 in his pocket, made a fortune with his Mission Pak holiday fruit gift boxes and land development and then donated millions to house treasures of the La Brea Tar Pits, which fascinated him, has died. He was 99. The founder of the George C. Page Museum of La Brea Discoveries in Hancock Park, he was also a major benefactor of Children's Hospital, Pepperdine University and other institutions that aid young people. He died Tuesday night in

Carpinteria, Pepperdine spokesman Jerry Derloshon said Wednesday. An eighth-grade dropout whose two children died as infants, Page, along with his late wife, Juliette, vowed to use what he earned to help children, first to survive and then to get an education.

He gave his money and name to the \$9-million George C. Page Building at Childrens Hospital; the George C. Page Youth Center in Hawthorne; the George C. Page Stadium at Loyola Marymount University; numerous buildings at Pepperdine, including two residence halls and a conference room; and programs at the USC School of Fine Arts, as well as the \$4-million La Brea museum.

But it was the museum, which opened April 15, 1977, that captured Page's passion and became his permanent monument. "This is so living, so immediate," he told *The Times* in 1981, stretching his arms wide to indicate the distinctive burial-mound structure. "It's like giving flowers that I can smell while I'm still here." The saga of George C. Page, how he wound up in Los Angeles and how he made the money to put his name on those donations, all started with an orange. The piece of fruit was given to him by his teacher when he was a 12-year-old schoolboy in his native Fremont, Neb. "I was so awed by the beauty of that piece of fruit that I said, 'I hope someday I can live where that came from,'" he recalled.

So at 16, he headed west. He lived in a \$3-a-month attic room in downtown Los Angeles, ate Hershey bars and 10-cent bowls of bean soup fortified with crackers and ketchup. He paid for all that—and saved \$1,000 in his first year—working days as a busboy (which he first thought meant driving a bus) and nights as a soda jerk. Come Christmas, the youth decided to send some of California's beautiful fruit to his mother and brothers in Nebraska. Innately adept at packaging, he lined the box with red paper and decorated it with tinsel. Thirty-seven other roomers in his boardinghouse offered to pay him if he would fashion similar packages to send to their Midwestern relatives. He was in business. Page launched Mission Pak in 1917, pioneering the now-ubiquitous marketing of California fruit in holiday gift packages in an era when fresh fruit was rarely seen during the frozen winters back East.

Working alone, he bought the fruit, wrote the advertising copy and found new ways to "appeal to the eye to open the purse." One marketing tool was the jingle that became a part of Southern California history: "A gift so bright, so gay, so light. Give the Mission Pak magic way."

On an occasional day off, Page played tourist—going to ostrich races in Pasadena or marveling over the oozing pools of asphalt known around the world as La Brea Tar Pits. Why, he mused, must a person travel seven miles to see the bones removed from those pits, poorly displayed as they were, at the Los Angeles County Museum of Natural History in Exposition Park? It was more than half a century before Page could realize his vision of properly showcasing the 40,000-year-old fossils. In that time, he learned a great deal about packaging, business and getting things done.

Visiting France when he was 21, Page encountered newly invented cellophane and began importing it to enhance his gift boxes. During World War II, he became an expert in dehydration, distributing dried fruit and other foods to the armed forces and then to the public. He started a company to make spiffy auto bodies, salvaging battered but functional cars.

After he sold Mission Pak in 1946, Page delved into developing, building industrial and commercial parks and leasing space to the defense and aerospace industries and the

federal government. Packaging was even important in real estate, he decided, in the form of fine landscaping to enhance complexes. By the time he was ready to create his museum, Page was already retirement age—so old that some county officials feared he wouldn't finish what he started. But even in his later years, Page walked miles each day, saying a person should take care of his body as one does a fine watch. He bought a motor home and made it his Hancock Park field office, arriving at 7 a.m. daily for three years to supervise the construction of the museum. He studied architectural firms and hired two young men, Willis E. Fagan and Franklin W. Thornton, who proposed a "burial mound," half underground, that would conserve energy and preserve the park's green space. He hired an expert from Brigham Young University and others who had worked on Disneyland attractions to develop steel-rod and wire methods of presenting the prized fossils so that they would not be just "bones, bones, bones." And with a promise of free plane fare, rent and a television set, he lured a Pennsylvania couple to Los Angeles to paint murals of La Brea as it had appeared when the skeletons belonged to live animals roaming the area.

He examined the most comfortable materials—carpet to walk on, not marble—and limited the museum to something that could be easily covered in about an hour. When solving a problem required money, Page gave that as well as his expertise. When his \$3-million building threatened to remain empty because of county officials' penury, he donated \$1 million more for the exhibits. He even rescued one discarded skeleton of a dire wolf from the trash at the Museum of Natural History. And he paid for the expensive wrought-iron fence constructed a few years after the museum opened to prevent nighttime motorbike riders from scaling the sodded sides of the building, preserving the slopes for children (not to mention adults) to roll down during the day.

Page remained a hands-on patron years after his museum dream was realized. He knew where a photographer could get the best angle for a shot of a giant sloth and could tell at a glance if a plant in the atrium was sickly. And avid benefit-goer himself, Page opened his museum to charities for fund-raisers and found that the well-heeled loved dancing around the imperial mammoth and the 9,000-year-old woman and among the dire wolves, saber-toothed cats and condors.

Although experts initially questioned the self-described museum buff's credentials for creating the facility, they eventually had to admit that Page knew—or at least was willing to learn—what he was doing. Along with the 5 million visitors to the museum in its first 10 years were scores of museum directors from around the world, eager to inspect what the amateur had wrought. "The thing that made me feel awfully good," the dapper, slightly built Page told *The Times* in 1982, "[was that] they said, 'George Page, we have never been in a museum with things displayed so well.'" The philanthropist is survived by a son, John Haan of Carpinteria, and two grandsons.

FLORIDA LEGISLATURE HAS GONE TO FAR

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, today I commend Bruce Ackerman, a professor at Yale

Law School. Mr. Ackerman, in his December 12, 2000 *New York Times* editorial, points out that the Florida legislature, if allowed to name electors on its own authority would establish a "devastating precedent." His argument is very straight forward and clear: "it is absurd to believe that the United States Constitution would allow one state legislature to usurp a national election." Article II of the Constitution grants Congress power to set the day on which electors are selected. This is why in 1845 Congress established a level playing field among the states by requiring them to hold elections on the same day. Not since 1845, Mr. Ackerman points out, has a state legislature "tried the trick that Florida's legislature is now attempting—intervening to swing the election to its favored candidate." I strongly agree with Mr. Ackerman's argument that the Florida State legislature's attempt to choose its own electors is illegal under Article II of U.S. Constitution. I submit the following article into the Congressional Record.

[From the *New York Times* OP-ED Tuesday, December 12, 2000]

AS FLORIDA GOES

(By Bruce Ackerman)

While the Supreme Court may ultimately determine the fate of this election, Florida's Legislature is determining the destiny of future presidential contests.

The constitutional issues raised by the Legislature's impending action to name a slate of presidential electors for Gov. George W. Bush are far more important than whether Mr. Bush or Vice President Al Gore gets to the White House. If the Legislature is allowed to name electors on its own authority, it will establish a devastating precedent.

In the next close presidential election, what is to prevent party leaders in a swing state from deciding the election once the Florida strategy has been legitimized? The dominant party in such a state could simply string out a final tally until the end and then rush into special legislative session to vote in a partisan slate of electors at the finish line. If one state legislature succumbs to this temptation, another legislature—controlled by the opposing party—may well follow suit, creating a partisan battle far worse than what we have already witnessed in Florida.

The Florida Legislature may believe it has the power to name the state's electors. But it is absurd to believe that the United States Constitution would allow one state legislature to usurp a national election. An examination of two provisions in Article II of the Constitution shows why.

One provision grants state legislatures power over the manner in which electors are chosen. A second grants Congress power to set the day on which these electors are selected. The first provision appears to give the Florida Legislature the right to name its own slate. Many legislatures exercised this power during the early decades of the Republic. And as far as the Constitution is concerned, there would be no legal obstacle if Florida's Legislature decided that in future elections it would deprive its citizens of the direct right to vote on Presidential electors.

But the Florida Legislature is perfectly happy to have its citizens vote for President. It simply wants to preempt the Florida Supreme Court's effort to figure out who won the election last month. And in trying to act retroactively, the legislature violates the second constitutional provision, which grants Congress power to set a uniform national day for choosing electors.

Acting under this power in 1845, Congress established a level playing field among the

states by requiring them to hold elections on the same day—which is why we all go to the polls on the first Tuesday after the first Monday in November. Before 1845, states competed with one another for influence by setting their election dates as late as possible, thereby swinging close elections by voting last. But since then, nobody has tried the trick that Florida's Legislature is now attempting—intervening to swing the election to its favored candidate.

This effort is illegal under the statute established by Congress in 1845. Congress has allowed one narrow exception to its insistence on a uniform election day: It allows a state legislature to step in only when the state has failed to make a choice of its electors.

That is not the case in Florida. The state made a choice when Gov. Jeb Bush signed a formal notification that the state's 25 votes go to a slate of Republican electors. Since Florida has not failed to choose, its legislature cannot, under federal law, intervene further.

Even if the Florida courts ultimately find that Mr. Gore wins the state's electoral votes, Florida will not have "failed to choose." They will simply have determined that the voters chose him rather than Mr. Bush.

Florida's legislative leaders may want to end the election chaos by fiat. But the vote that occurred on Nov. 7 was properly cast by Floridians on the same day their fellow Americans cast their ballots. If Florida's Legislature is allowed to overrule that vote, other states may ponder the same power play four years from now.

TRIBUTE TO REVEREND PATRICIA BRUGER

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of a remarkable person from my district, the Reverend Patricia Bruger of Dumont, New Jersey, who was recognized on Wednesday, October 25, 2000 because of her many years of service and leadership. It is only fitting that she be honored, for she has a long history of caring, generosity and commitment to others.

Reverend Bruger was recognized for her many years of leadership in Paterson, which I have been honored to represent in Congress since 1997, and so it is appropriate that these words are immortalized in the annals of this greatest of all freely elected bodies.

Born and raised in Washington, DC, Reverend Bruger is a graduate of the University of Maryland, where she earned her BS in Education in 1969. She then received her Masters of Divinity at the Drew Theological Seminary in 1995. She and her husband of 28 years, Carl, have four special children, Pete, Cassandra, Lynn and Kit. In addition to contributing much to her friends and neighbors, she has been blessed with four wonderful children. I know that they have brought her much pleasure and happiness.

Reverend Bruger has always been an active and involved leader. The time spent at the Drew Theological Seminary and in her early career instilled in her the attributes necessary for her to become a stellar force in the community.

Known for a questioning mind and an ability to get things done, Reverend Bruger began her career in education. From 1969 until 1972 she served as a high school physical education teacher in Silver Spring, Maryland. She later moved to New Jersey and served as a substitute teacher in the Bergen County School System from 1985 to 1991.

Around this time, Reverend Bruger was emerging as an active leader within the United Methodist Church (UMC). From 1984 until 1992 she served as the youth director for the Calvary United Methodist Church in Dumont.

As a religious and spiritual leader, Reverend Bruger currently holds numerous positions. She is the New Jersey Executive Director of CUMAC/ECHO in Paterson. She is also the Pastor of two churches; Madison Park Epworth UMC and Paterson Avenue UMC.

Reverend Bruger continually touches the lives of the people around her. She currently is a member of the NNJAC Shalom Holy Boldness Task Force. Also, she offers Pastoral Counseling at Shelter Our Sisters of Passaic County, New Jersey on domestic violence by referral. In addition, she is a member of the New Jersey area Bishop's Task Force on Urban Ministries.

Mr. Speaker, I can say that I can think of few people who work harder or care more about others than Reverend Bruger. She served as the President of the Emergency Food Coalition of Passaic County from 1993 to 1996, and is currently the Coordinator of Emergency Assistance System in Paterson. In addition, Reverend Bruger is a member of the Paterson Alliance, a group comprised of non-profit organizations seeking to enhance the community.

Mr. Speaker, I ask that you join our colleagues, Reverend Bruger's family and friends, CUMAC-ECHO, Inc., United Methodist Urban Ministries, the City of Paterson and me in recognizing the outstanding and invaluable services to the community of Reverend Patricia Bruger.

HONORING THE LATE DR. ANDRE ANTHONY GALIBER, SR.

HON. DONNA MC CHRISTENSEN

OF VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mrs. CHRISTENSEN. Mr. Speaker, today I pay tribute to Dr. Andre Anthony Galiber, Sr., who passed away in September of this year. Dr. Galiber was a great leader in the medical profession, particularly in the field of Radiology, an ideal family man, an outstanding citizen and a great humanitarian in my district, the community of St. Croix and the entire U.S. Virgin Islands.

Dr. Galiber earned his Medical Doctorate in 1957 and completed a diagnostic and therapeutic radiology residency in 1963. His distinctive medical career began with an internship at the Howard University's Freedmen's Hospital, here in Washington, D.C. He also served as a captain in the U.S. Medical Corps and was the Chief Radiologist at Fort Benjamin Harrison Army Hospital in Indianapolis, Indiana.

Dr. Galiber opened his private Radiology office in 1967 and became the first full-time, board certified Radiologist, in the Virgin Islands. He was and remained the only regional

Fellow of the American College of Radiology. Dr. Galiber became the Director of the Radiology Department at the Charles Harwood Hospital during the 1960's and 1970's, and became the Director of the Radiology Department when the hospital relocated to the new Governor Juan F. Luis Hospital and Medical Center, serving in that capacity until his "so-called" retirement in 1984.

Dr. Galiber volunteered as a consultant at the new St. Croix Hospital and provided most of the technical training and professional services during the initial ten year growth period of clinical ultrasound. He performed and interpreted the first echocardiograms on St. Croix and was the first Radiologist licensed in Computer Tomography. He was a FDA accredited mammoradiologist and had been performing mammography since he opened his practice in 1964. His untiring dedication to St. Croix was also directed at strengthening and advocating on behalf of the medical community. He was an active member of the Virgin Islands Medical Society for almost forty years, serving as President, Executive Secretary, Treasurer, Delegate to the American Medical Association, as well as Delegate to the National Medical Association.

Dr. Galiber also served as President of the St. Croix Hospital Medical staff, was an elected officer of the Virgin Islands Medical Institute and presented, coordinated and monitored medical education seminars for his peers. He was also the principal supporter of advanced diagnostic imaging capabilities at the Governor Juan Luis Hospital. Recently, he proposed and drafted legislation for the Virgin Islands Medical Institute, to encourage Virgin Islands physicians training in the continental United States, to become licensed in the Territory. Most notably, he was a mentor and ardent supporter of students pursuing health science careers, of which I was one.

Hurricane Hugo introduced several generations of Virgin Islanders to the devastation a hurricane could inflict. While most of the populace remained stunned in the aftermath, Dr. Galiber salvaged his radiological equipment, established electrical power and a safe habitat for essential medical operations and nine days after the hurricane had passed, he started providing full services to his patients. Dr. Galiber was a charter member of the St. Croix Power Squadron. He became a trustee for most of the schools on the island of St. Croix including St. Mary's Catholic School, Country Day School, Good Hope School and St. Dunstan's Episcopal School. Dr. Galiber was chairperson of the St. Croix Hospital Continuing Medical Education Committee which locally certified all eligible post-graduate training programs for physicians, and a member of the Eta Iota Iota Chapter of Omega Psi Phi fraternity.

As an entrepreneur, Dr. Galiber in 1974 became the Project Development Coordinator/Secretary/Treasurer, of the first Medical Office Condominium in the Virgin Islands. He was one of seven owners of Medical offices in Island Medical Center Associates, and supervised the management of the entire complex along with managing his radiology office and practicing Diagnostic Radiology.

Dr. Galiber was an avid reader of non-fiction and a World War II history buff, greatly admiring the deeds of Winston Churchill. For recreation he enjoyed golf, tennis, traveling, dancing, and classical music. He and his wife, Edith, were Members of Friends of Denmark,

an organization that strives to maintain the links established by more than two centuries of former Danish rule. He and his wife also joined the Landmark Society, which preserves and promotes the various influences of our unique architecture that has developed over the centuries, and our local cultural traditions. He was also a member of the Virgin Islands Lung Association and the St. George's Botanical Garden.

Dr. and Mrs. Galiber collected many local artists' paintings. Some works they commissioned were the product of intense collaborations between Dr. Galiber, Sr., and the artists. He insisted that the images synthesized on canvas authentically portray our past. Leo Carty's "Good Day Ladies" acrylic, with the significant conceptual influences of Dr. Galiber, was selected by the United States Census Bureau as the poster representing minority art for the U.S. Virgin Islands. This was a work-in-progress when the Galibers became enamored with its historical vista and gave it the unofficial title, "Mr. Collins". Dr. Galiber's suggestions influenced Mr. Carty to change and/or include a few features so the painting would more accurately reflect the people and events of the time. Dr. Galiber was the recipient of many honors. He was the Virgin Islands Medical Society's Distinguished Physician in 1986 and an American Cancer Society's Honoree in 1999.

On June 9th of this year, the Governor Juan F. Luis Hospital and Medical Center conducted a dedication ceremony of the Andre A. Galiber, Sr., FACR, Radiology and Cardiovascular Laboratory Suite. The unit was dedicated in honor of his significant contributions to diagnostic imaging. Some of his peers recognized that he single-handedly established the Radiology Departments at the Charles Harwood and Juan Luis Hospitals and that due to him, the hospitals will soon have MRI capabilities. His legendary diagnostic skills were praised and appreciation was shown for the tireless work he performed in other hospital areas.

Dr. Galiber, Sr., encouraged his children to follow in his footsteps of educational and professional excellence. His oldest child, Lorraine Gundel, served for years as a Virgin Islands educator. His sons have taken up the mantle of his commitment to providing the best in medical services to the Virgin Islands community. He and his namesake and fellow radiologist, Andre Jr., excelled at golf and were the winners of several tournaments. Son, Angelo, like Andre Jr., is a board-certified radiologist. Angelo is president of Imaging Center, PC, a position that Andre Sr., previously held. Angelo is the 1983 Franklin Chambers McLean Scholar (given each year to the highest ranking U.S. minority medical student). Dante is a board certified fellow of the American College of Cardiology. The youngest son, Marcel is a Registered Diagnostic Medical Sonographer/Vascular Technologist and the business manager of the Imaging Center. His daughter Lisa has modeled internationally and has worked in broadcasting. Youngest daughter, Cecile, was a bank senior vice-president. She now heads the Financial Trust Company in St. Thomas and is a licensed realtor.

His wife of forty-four years, Edith Lewis Galiber, is a retired Director of Public Health Nursing in St. Croix. She has been his loving and devoted partner in all that he has achieved and in building the legacy which he leaves.

Dr. Andre Galiber's death on September 24, 2000, ended an illustrious life and work, but the contributions to his community, its culture and the field of Radiology live on.

Mr. Speaker, I salute Dr. Andre A. Galiber for his dedicated service to his country, his profession and the Territory of the U.S. Virgin Islands. I thank his wife Edith, their six children and sixteen grandchildren, for sharing him with us.

CONGRATULATING REV. DR. CLAY EVANS ON THE OCCASION OF HIS RETIREMENT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. DAVIS of Illinois. Mr. Speaker, I take this opportunity to pay a special tribute to one of the nation's most dynamic, colorful, well-known, influential and eminent religious leaders in America. One who is of humble origin and yet has been able to influence public decision making, develop programs and activities of enormous impact and to provide motivation, inspiration, spiritual consultation and consolation to millions.

For more than fifty years, Rev. Clay Evans has been the founder, pastor and guiding light for development of the Fellowship Missionary Baptist Church. The ship as it is affectionately known has been a haven for Civil Rights, a home for aspiring clergymen-women, and a place to be for those who wanted to feel the spirit.

Fellowship has been a platform for notables of every color, stripe or hue. It has been a church home for Rev. Jesse L. Jackson and a training ground for renowned clergy and musicians. Of all the decisions made by Rev. Evans over the past fifty years has been the decision to guide the parishioners in the selection of a new pastor so there is an orderly, peaceful and efficient leadership transition.

I commend you, Rev. Evans for your ability to motivate and inspire and for the wisdom of understanding continuity. As you retire from active pastorship, may the Good Lord continue to bless and keep you and may he grant you peace as you enjoy the Golden Years of your life.

WILLIAM DAVERN LEAVES A MARCHING BAND LEGACY TO BE CONTINUED

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WALSH. Mr. Speaker, on January 27, 2001 a Gala Surprise Party will be held to honor the accomplishments of the West Genesee "Wildcat" Marching Band Director William Davern. Bill Davern will retire from this extracurricular activity following 16 years of dedication, hard work and many successes. He will continue to work as a teacher at West Genesee High School in Camillus, New York.

Bill Davern's involvement with the "Wildcat" Marching Band began in 1975 when he participated as a band member from 1975-78.

The West Genesee Marching Band has long since established itself as one of the premiere High School Marching Bands in the country. For the past 27 years the band has sustained a level of excellence few marching bands ever achieve in a single season.

As band director for the past 11 years, Bill Davern continued the "Wildcat" tradition of greatness, elevating it to new heights. Prior to becoming Band Director in 1989, he worked as a band instructor since 1984. He leaves the "Wildcats" with 12 straight New York State Band Championships, four National Field Band Championships, a National Parade Championship and a plethora of other victories.

I would like to take this opportunity to commend Bill Davern and the West Genesee Marching Band for their many accomplishments. The "Wildcat" Band has had an outstanding record for the past 27 years. Under the direction of Bill Davern, the band has set precedents in the history of the New York State Field Band Conference. His talent will be sorely missed by current and past band members, parents and school in this capacity.

TRIBUTE TO THE SLOVAK CATHOLIC SOKOL

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. PASCRELL. Mr. Speaker, Mr. Speaker, I would like to call to your attention the deeds of an important organization from my district that celebrated its 95th year of fraternal service on Sunday, November 12, 2000 because of its many years of service and leadership. It is only fitting that this group is honored, for it has a long history of caring, generosity and commitment to others.

This year marks the 95th anniversary of the establishment of the Slovak Catholic Sokol, a fraternal benefit organization with headquarters in Passaic, New Jersey. It was founded on July 4, 1905 by a group of 48 Slovak immigrants. The organization has grown over the past nine and a half decades and now includes nearly 35,000 members with assets of \$52 million.

As a well-known gymnastic and athletic organization of American Catholics of Slovak ancestry, the Sokol places great emphasis on the growth and development of its youth. Various athletic contests on the local, district and national levels are held. The Sokol hosts international tournaments in basketball, volleyball, bowling, softball and golf. In addition, a biennial international track and field competition known as "Slet" is held at various locations across the United States and Canada. Next year, the Sokol will host its 40th Slet at Kutztown University in Kutztown, Pennsylvania.

Concern for higher education among its youth is another priority. To date, nearly \$800,000 in scholarship grants have assisted members in the quest for higher education. This year, a total of 86 deserving members received grants on the grade school, high school, and university levels.

In keeping with its emphasis on fraternal benevolence, the Sokol generously supports various religious institutions, churches and centers promoting a greater appreciation for the

Slovak heritage as it enriches our American way of life. In keeping with its interest in promoting greater awareness of Slovak culture, it provides regular opportunity for its youth to participate in cultural festivals in Slovakia.

Since 1905, the Sokol has maintained its national headquarters in downtown Passaic. Since 1911 it has published a weekly publication, the Slovak Catholic Falcon. This tabloid, 16-page, bi-lingual publication is mailed to more than 11,000 households throughout the United States, Canada and other nations. This means of communication among the membership provides an excellent opportunity for the members to keep abreast of activities sponsored by the Sokol and to gain a better knowledge of the rich cultural heritage the membership shares.

At the present time, the Sokol has 155 local lodges in 14 states and the province of Ontario in Canada. The Sokol actively promotes various volunteer efforts. It gives strong support to the work of Habitat for Humanity and encourages its members to participate actively in various local community projects including blood drives, tutorial programs for youth, supporting food bands and service to home bound and institution-bound individuals.

Current national officers include the Rev. Msgr. Francis J. Beeda, Supreme Chaplain, Sue Ann M. Seich, Supreme President, Steven M. Pogorelec, Supreme Secretary and Chief Executive Officer, John D. Pogorelec, General Council, Daniel F. Tanzone, Editor, George We. Hizny, Supreme Treasurer, Michael J. Pjontek, Jr., Supreme First Vice President, Albert J. Suess, Supreme Second Vice President, Larry M. Glugosh, Supreme Director of Sports and Athletics, and Carol Ann Wallace, Chairperson on Supreme Officers.

Mr. Speaker, I ask that you join our colleagues and me in recognizing the outstanding and invaluable service to the community of the Slovak Catholic Sokol. In addition, congratulations are due to the entire membership of the Slovak Catholic Sokol as it observes its nine and a half decades of service in the best traditions of the fraternal benefit system. This special organization will be celebrating its centennial and beyond. In the words of the Sokol, Zdar Boh!

CLOSING THE CHERNOBYL NUCLEAR REACTOR

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. LANTOS. Mr. Speaker, today Ukraine took a historic step—closing the Chernobyl nuclear reactor for all time. I welcome this critical step, writing a final chapter to one of mankind's most ominous events. The explosion of the flawed, Soviet-designed nuclear power station in 1986 was a dramatic warning to all of us of the frightening potential for disaster in this nuclear age. It served to underline the cold reality that precise design, continuous careful maintenance and a dedication to safety are essential if we are to avoid nuclear catastrophe.

Ukraine's President, Leonid Kuchma, incurred a substantial political risk with his own people when he negotiated with the European

Union and the United States to close the station in exchange for financial pledges to assist in completing two modern nuclear power plants designed to Western standards to replace the lost power production. Even in its damaged condition, Chernobyl is believed to provide approximately 5% of Ukraine's total power production. One of Chernobyl's four graphite reactors was undamaged and has continued to produce power for Ukraine's consumers.

Mr. Speaker, not only is the Chernobyl power source lost—it will be at least a year before either of the two new reactors now under construction comes on line. In the meantime, 16,000 jobs at the Chernobyl station will be lost, although a few hundred workers will remain in order to deal with the high-risk construction of a permanent housing for the damaged, highly radioactive unit. The new city of Slavutich, built with considerable U.S. assistance to provide safe housing for Chernobyl's work force, will be heavily impacted by the shutdown.

In Ukraine there has been criticism of President Kuchma for “knuckling under to the West” and for the hardships the Ukraine people will have to shoulder as the energy supply is reduced and jobs are lost. The obvious benefit to Ukraine and all of mankind by placing their very dangerous reactor in “deep-freeze” seems abstract and distant to the Ukrainian people.

Mr. Speaker, today's decision to close Chernobyl is but the latest courageous action by the government of Ukraine in facing up to the nuclear dangers to civilization. Rarely acknowledged publicly, the newly independent Ukraine joined with the United States and Russia in a dramatic partnership to reduce the danger and threat of nuclear warheads to all of us. Ukraine, in cooperation with the United States, has completely rid its soil of the nuclear warhead inventory from Soviet days—decommissioning weapons on its soil and shipping them to Russia to joint U.S.-Russian controlled facilities for destruction under strict controls.

Mr. Speaker, the world today is safer from nuclear accidents because of Ukraine's leadership, cooperation and sacrifices. I invite my colleagues to join me in saluting President Kuchma for this latest important step.

A TRIBUTE TO JUNE L. HARRIS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CLAY. Mr. Speaker, I rise today to recognize the service that June L. Harris has provided the House for the past 21 years. June, like myself, is retiring at the end of this Congress, and I want to thank her for her many years of service to me and our institution.

June came to work for me in 1979. She has spent nearly her entire career here in Congress working on educational issues, specifically ensuring that educational opportunity exists for the most vulnerable in our society. June has worked in both my personal office and on my Education and the Workforce Committee staff, where she presently serves as Education Coordinator. Prior to her Capitol Hill career, June was a teacher in the Baltimore

public schools and the head of a department in a junior high school. June has also earned a Ph.D from the University of Maryland, showing evidence of her own personal pursuit of excellence.

June has always fought to make sure all Americans have the opportunity to succeed. She has represented me well by helping open the doors of educational and economic opportunity for our most disadvantaged citizens. June has always stood for what was right and never compromised her principles. She has provided me with 21 years of invaluable service that has improved the education of the children of St. Louis and the nation. Today, I want to say thank you for all that she has done and wish her well in her retirement.

EXPRESSING CONCERN ABOUT THE COMMUNIST REGIME IN LAOS AND COMMENDING SENATOR BOB SMITH AND THE U.S. CONGRES- SIONAL FORUM ON LAOS

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. GREEN of Wisconsin. Mr. Speaker, as this Congress comes to a close, I want to state for the record that I continue to be very troubled about the dreadful situation in Laos and the U.S. Department of State's behavior toward this one-party, Communist regime.

Wisconsin is home to the third largest Hmong and Laotian community in the United States. I am very proud to represent so many of these Americans. Their families and relatives, however, continue to suffer terribly under the current Stalinist regime in Laos.

On October 19, I was pleased to speak once again before the U.S. Congressional Forum on Laos, an excellent forum series organized by the Center for Public Policy Analysis. At this forum, I again stressed my concerns about the disappearance of Messrs. Houa Ly and Michael Vang—two Americans who disappeared in Laos last year—and the ineffective handling of the case by our State Department.

Mr. Speaker, I also would like to thank Senator BOB SMITH for placing a hold on the Administration's nominee for a new ambassador to Laos. I strongly supported Senator SMITH's hold as an important tool in the effort to force significant changes in U.S. policy toward Laos—changes I hope will occur under the next Administration.

I would like to submit this recent Washington Times article about our mutual efforts to enhance understanding about the situation in Laos and work for a positive change in U.S. policy.

[From the Washington Times, Oct. 6, 2000]

NEW LAOS POLICY URGED

Philip Smith has been trying to press the Clinton administration into adopting a tougher policy against Laos and is hopeful that a senator blocking the appointment of a new U.S. ambassador to the isolated communist nation will help the cause.

Mr. Smith, executive director of the Center for Public Policy Analysis, said he has no personal objections to the nominee, Douglas Alan Hartwick, a career Foreign Service officer.

“But we support the holding up of the nomination in the hope this will produce the

necessary leverage for a comprehensive review of U.S. policy toward Laos," he said.

Mr. Smith said the administration has failed to support the political opposition in Laos and has made no effort to invite opposition leaders to the United States to meet with groups like the National Democratic Institute or International Republican Institute, which promote democracy in other countries.

Sen. Robert C. Smith, New Hampshire Republican, is blocking Mr. Hartwick's nomination along with several other diplomatic appointments because of his concerns about lax security in the State Department and some U.S. embassies.

Mr. Smith, who is not related to Sen. Smith, is also organizing a congressional forum on Laos that will feature leading Lao-tian dissidents.

He has invited Laos' highest-ranking defector, Khamxay Souphanouvong, former finance minister and son of the founder of the current Pathet Lao movement that controls the country.

Bounthone Chanthavixay, another leading political exile, has also been invited to address the invited guests at the Oct. 19 forum.

"Laos has become increasingly and precariously unstable with an ongoing string of bombings and political violence seemingly spinning out of control," Mr. Smith said.

TRIBUTE TO MICHAEL HAYES DETTMER

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to Michael Hayes Dettmer, U.S. Attorney for the Western District of Michigan, who will be return to private practice in January. After six years of service, Mike will leave the job of chief federal law enforcement officers and prosecutor for 49 counties in western Michigan and the Upper Peninsula of Michigan, and return to practice law in Traverse City, a community in my northern Michigan congressional district.

Mike Dettmer's appointment by President Clinton to this position followed a distinguished career in Michigan. A trial lawyer since 1972, he served as the 59th president of the State Bar of Michigan in 1993 and 1994, having been elected to that position by the lawyers throughout Michigan.

Mike served as chairman of the state bar's Professionalism Task Force and he served as co-chairman of the Standing Committee on Professionalism, as well as chairing numerous other bars committees. At the Department of Justice he chairs the Attorney General's policy committee relating to Office of Justice programs, and he is a member of the Committee on Native American Issues and Civil Justice Issues.

My Michigan colleague, FRED UPTON, recently paid public homage to Mike's work, praising in an Associated Press story Mike's efforts in fighting crime in Benton Harbor, a community in Congressman UPTON's district and an area where drugs are a particular problem.

A Michigander through and through, Mike graduated from Michigan State University and received his law degree from the Wayne State University School of Law in 1971.

Mike brought new energy to the position of U.S. Attorney, and I know he is leaving the job in the belief that it demands new blood, fresh ideas and constant renewal.

Mike has always been an avid golfer, but I know that his golf score will greatly benefit from the some additional time on the fairways, time that he may now have, with the demands of his federal job behind him.

Mr. Speaker, I ask you and our colleagues to join me in offering our thanks to this public servant for a job well done. I welcome his return to northern Michigan.

REINTRODUCING H.R. 5669

HON. JOHN R. KASICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. KASICH. Mr. Speaker, today I reintroduced a bill, H.R. 5669, that was previously introduced this Congress as H.R. 82 in order to clarify the appropriate referral of comparable legislation in subsequent Congresses. The error in the referral of the original bill resulted from confusion arising from House rule changes during the 104th and 105th Congresses that granted the Budget Committee jurisdiction over budget process legislation.

My staff worked closely with the Office of the Parliamentarian to resolve the jurisdictional issues related to this bill. My introduction of the bill should not be construed as indicating my support for the measure. In fact, I oppose the concept of taking the Civil Service Trust Fund off budget, which this bill would require. I also introduced a new bill, H.R. 5670, to establish the appropriate referral of this type a measure.

TRIBUTE TO THE MEN WHO FLEW EC-121

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. BOYD. Mr. Speaker, today I pay tribute to the brave men who flew the EC-121 Lockheed Super Constellation from Otis Air Force Base (AFB), Massachusetts, in the 1950's and 1960's. The 19 member crews of these aircraft flew countless radar surveillance missions to provide early warning radar coverage for the United States during the height of the Cold War and were a first line of defense against a surprise attack. In particular, I want to pay tribute to the fifty officers and airmen who died when three EC-121's crashed in the North Atlantic.

Otis AFB, located on Cape Cod, was the only Air Defense Command base with units performing three of the Air Defense Command's prime missions: radar picket plane surveillance, fighter-interception, and ground-to-air missile operations. With the completion of the Distant Early Warning (DEW) Line in 1958, the northern areas of the United States and Canada were still vulnerable. Consequently, the radar warning networks were extended seaward at Otis AFB on the east by using the 551st Airborne Early Warning and Control (AEW&C) Wing. This wing supplemented the

radar protection along the East Coast of the United States.

The 551st Wing at Otis was the only Air Force organization flying the EC-121H "Warning Star" Super Constellation known as Airborne Long Range Input (ALRI) aircraft. Those aircraft carried more than six tons of complex radar and computer communications equipment on each flight and provided instantaneous automated relay of air defense surveillance and early warning information by datalink direct to ground based communications facilities. This information was then passed to high speed Semi-Automatic Ground Environment (SAGE) Air Defense Command and Control computers in the East Coast SAGE Direction Centers and to the North American Air Defense Command (NORAD) Combat Operations Center in Colorado Springs, Colorado, for air defense evaluation and action. It is interesting to note, especially for the younger generation, that the 551st Wing flew their continuous missions over the Atlantic Ocean 24 hours a day.

On March 2, 1965, the 551st AEW&C Wing celebrated its 10th anniversary. It was noted that the 551st Wing had progressed through many changes—some involving electronic equipment and other gear. Still the mission continued to be an effective—although more sophisticated—form of radar surveillance against the enemy. During that decade, the aircraft of the 551st Wing had accumulated more than 350,000 hours of early warning radar surveillance missions over the North Atlantic without an accident involving personal injury or a fatality. However, the fatality-free decade celebration didn't last long.

The ten-year celebration hardly had ended when on July 11, 1965, one of the Super Constellations, the Air Force model EC-121H radar aircraft, developed a fire in the number three engine. The decision was made to try ditching the plane approximately 100 miles from Nantucket, Massachusetts, in the North Atlantic. Unfortunately, touchdown in the nighttime ditching in zero-zero weather, while on fire, was very difficult. The aircraft crashed and broke apart. Of the 19 people on board, three crew members survived and 16 died. Seven of the crew members' bodies were never recovered.

On Veterans Day 1966 (November 11th) another EC-121H crashed in approximately the same general area as the first one, by unexplained circumstances. This accident was about 125 miles east of Nantucket. All 19 crew members were killed and their bodies were never recovered.

On April 25, 1967, another EC-121H ditched in the North Atlantic approximately one mile off of Nantucket just after having taken off from Otis AFB. There was one survivor, and 15 crew members were lost. Only two bodies were reported by the Air Force as having been recovered. Colonel James P. Lyle, the Commander of the 551st AEW&C Wing to which all the aircraft and crew members were assigned, was piloting this plane when it crashed.

Colonel Lyle had been assigned to take over that command nine months earlier. It is sobering to note that it was he who presented each of the next of kin of the November 11, 1966, crash victims with the United States Flag during that memorial service. Then five months later Colonel Lyle met the same fate.

The EC-121H aircraft was phased out and the 551st Wing was deactivated on December

31, 1969. Later, Otis AFB was renamed Otis Air National Guard Base. Today at that base, Otis Memorial Park is dedicated to the 50 members of the crews of the three aircraft who lost their lives. With the exception of the remaining immediate family members of the flyers and some of the friends of the flyers, few remember these tragic events ever happened.

I admit that I never knew about these events until a constituent of mine from the Second Congressional District of Florida, Senior Master Sergeant A.J. Northup, USAF (Ret.), brought this to my attention. I would be remiss if I didn't recognize MSgt. Northup and his 30 years of service to our nation. He actually spent four years as an Airborne Radio Operator/Electronic Countermeasures Operator aboard the RC-121 at Otis AFB. I thank him for his service to our nation and for working to bring these events to light.

More than half a century ago, President Franklin Roosevelt reminded the American people that, "Those who have long enjoyed such privileges as we enjoy forget in time that men have died to win them." I hope that we as a nation, and each of us as individuals, will take to heart President Roosevelt's reminder that it is the sacred duty and great privilege of the living to honor and remember those who have died to protect the American ideals of freedom, democracy and liberty. The men and women who have died in service to America, and especially the 50 heroes aboard these fateful EC-121H flights, deserve no less.

THE DEATH OF MICHAEL P. MORTARA

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. LEACH. Mr. Speaker, I wish to note the passing of an individual of considerable stature in the history of this nation's financial system, Michael P. Mortara. Mr. Mortara, who was the victim of an aneurysm last month, was instrumental in the creation of mortgage-backed securities, a market now valued at over \$2 trillion. By devising a means for banks to package and sell mortgage loans to the broader capital markets, he helped enlarge the pool of credit available to millions of middle and low income American families, making it possible for them to purchase their first homes at affordable mortgage rates. Asset securitization, as the technique that Mr. Mortara helped pioneer is called, is the primary tool Ginnie Mae, Fannie Mae and Freddie Mac have used to carry out their missions—the establishment and maintenance of a stable and fluid nationwide secondary mortgage market essential to widespread, affordable housing finance. This technique was also adapted with success by the Resolution Trust Company, saving American taxpayers millions of dollars, and it has served as a model for housing finance markets around the world.

In addition to his contribution to our country's economic well-being, Mr. Mortara was dedicated to the community in which he lived, the community in which he worked, as well as to his family—his wife Virginia and his two sons, Michael and Matthew. At his death, Mr.

Mortara was a senior member of the Wall Street firm Goldman Sachs. There and wherever he came into contact with them, he mentored and guided hundreds of young men and women throughout their careers. He served on many educational boards, including those of Georgetown University, The Taft School, Rumsey Hall School, and the Connecticut Junior Republic. Mr. Mortara was the embodiment of a free-enterprise minded American citizen—a proponent of free markets, education, and family values.

Mr. Speaker, what Mr. Mortara's life symbolizes is the mark an individual can make in the private sector that has positive ramifications for society as a whole. It is innovations in finance that have helped curb inflation and in the case of the secondary housing securities market made access to home ownership available to millions who would otherwise be precluded from participation in the American dream.

Mr. Mortara will be much missed by this family and colleagues and so many who never knew him but benefited from the innovations in finance that he pioneered.

TRIBUTE TO BISHOP JAMES T. McHUGH

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. SMITH of New Jersey. Mr. Speaker, today, a great man of God, a brilliant writer of homilies and incisive commentary, an extraordinary humanitarian, a courageous defender of human life, Bishop James T. McHugh—will be buried. After a long battle with cancer, Bishop McHugh passed away on December 10th. Consistent with how he lived his life, Bishop McHugh faced death like he faced life—with courage, dignity and an unwavering faith that inspires us all. Prior to his assignment at Rockville Center, Bishop McHugh served with dedication and effectiveness as Bishop of the Diocese of Camden, New Jersey, and area which borders my district.

Mr. Speaker, I have had the privilege of knowing this holy man of God and calling him "friend" for over 25 years. By his words and extraordinary example, Bishop McHugh lived the Gospel of Jesus with unpretentious passion and humility. Bishop McHugh radiated Christ. He recognized evil and deceit in the world for what it was—yet he never ceased to proclaim reconciliation and renewal through Christ, the Sacraments and the Church. Clearly among the best, brightest and most wise, Bishop McHugh nevertheless was humble and soft spoken. His courage to press on against any and all odds was without peer. He was a spiritual giant, and we will miss him dearly.

A graduate of Seton Hall University and the Immaculate Conception Seminary in Darlington, New Jersey, Bishop McHugh began his service to the church early in life. Ordained in 1957, Bishop McHugh's impact has been felt in countless ways. His constant and unyielding defense of the unborn will serve as a pillar of strength to all of us who carry on the fight for life. At the time of his death, Bishop McHugh was a member of the US Bishop's Committee on Pro-Life Activities as well as a consultant to the Pontifical Council on

the Family. His dedication to the pro-life movement knew no bounds, and his representation of the Vatican at international meetings and at the United Nations on population control and pro-life matters served as not only an inspiration for myself, but upheld the convictions and beliefs of the Church and believers worldwide.

Bishop McHugh's courage and convictions could not have been more evident than just recently, when he ordered that no public officials or candidates who supported abortion be permitted to appear at Catholic parishes. Although Bishop McHugh was criticized by the media, he was upheld in high esteem among those of us who hold that all human life is precious. Bishop McHugh held strong to clear Christian teaching on the sanctity of human life and the duty of all men and women of goodwill, especially politicians, to protect the vulnerable from the violence of abortion.

Early in his career, Bishop McHugh worked on staff of the National Conference of Catholic Bishops and was named director of the Division for Family Life in 1967 and director of the bishops' Secretariat for Pro-Life activities in 1972. Bishop McHugh did advanced theological studies at the Angelicum in Rome and earned his doctorate in sacred theology in 1981.

Bishop McHugh must be commended for this outstanding work as Vatican delegate to numerous international conferences, including the 1974 International Conference on Population in Bucharest, Romania, the 1980 UN World Conference on Women in Copenhagen, Denmark; the 1984 UN World Population Conference in Mexico City; the 1990 World Summit for Children in New York; the 1992 International Earth Summit in Rio de Janeiro, Brazil, and the 1994 International Conference on Population and Development in Cairo, Egypt.

HONORING OKLAHOMA STATE UNIVERSITY

HON. WES WATKINS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WATKINS. Mr. Speaker, these are momentous days for academic excellence at Oklahoma State University. Last week, Oklahoma State University (OSU) received national recognition for its outstanding record in producing world-class scholars and leaders.

OSU celebrated being named a Truman Scholarship Honor Institution—an award bestowed on only five universities in the nation this year. OSU is one of only 37 universities in the nation to have ever received this distinction. No other Oklahoma university has ever received the honor. This year's other award recipients are the University of Texas, the University of Kansas, the University of Minnesota, and Willamette University.

The Truman Scholarship Honor Institution award recognizes colleges and universities that have developed a long history of producing outstanding student scholars and leaders. The award specifically recognized OSU for: Exemplary participation in the Truman Scholarship program—six Truman Scholars in the last seven years. Active encouragement of outstanding young people to pursue careers in public service. Special attention to helping the

most promising students at OSU achieve their goals through participation in national fellowship competitions such as the Rhodes, Marshall, Truman, Goldwater and Udall scholarship programs.

The Harry S. Truman Scholarship Foundation awards 75 to 80 merit-based scholarships each year to college juniors who wish to attend graduate school in preparation for careers in public service. The merit-based Truman Scholarships are recognized as the most prestigious undergraduate scholarships in America. Each Truman Scholar receives up to \$30,000 in scholarship support, plus other academic and career benefits.

Oklahoma State University is rightfully proud of its academic success. OSU has produced 10 Truman Scholars, one Rhodes scholar, six Goldwater scholars, one Marshall scholar and one Udall scholar. Many of these awards were won during the past seven years. OSU student scholar award winners include:

Truman Scholars—Bryan Begley, Shannon Ferrell, Kent Gardner, Wren Hawthorne, Jr., Jeannette Jones-Webb, Kent Major, Angela Robinson, Kim Sasser, Chris Stephens, Carla-Kaye Switzer.

Rhodes Scholar—Blaine Greteman.

Goldwater Scholars—Belinda Bashore, Michael Holcomb, Ross Keener, Michael Oehrtman, Ward Thompson, Mario White.

Marshall Scholar—Chris Stephens.

Udall Scholar—Phoebe Katterhenry.

During last week's festivities, OSU inducted its prestigious scholarship winners into the university's new "Scholars Hall of Fame." As reported in the university's award-winning student newspaper, The Daily O'Collegian, "Flashbulbs and applause erupted Friday as an orange and black ribbon was clipped—unveiling Oklahoma State University's latest tribute to its academic heritage of excellence. OSU President James Halligan and Board of Regents Chairwoman Lou Watkins cut the ribbon and ushered a number of OSU's prestigious scholarship winners into the Scholars Hall of Fame in the Student Union."

Eighteen of OSU's national scholars returned to OSU for last week's festivities, traveling from as far away as England. Included were all ten Truman Scholars.

TRIBUTE TO BUD DEMEREST

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. GILMAN. Mr. Speaker, it is with deep regret that I inform our colleagues of the recent passing of one of my truly outstanding constituents.

William McNeal Demerest, known to his many loved ones, friends, and admirers as "Bud", was a school teacher for 37 years. He was respected by his students because he not only taught them that community service is the greatest work of life, but he also led them by example. Bud served as Supervisor of the Town of Chester, N.Y., for twenty years, from 1950 until 1970. In those days, Orange County was governed by a Board of Supervisors and Bud was extremely active in that capacity. He also served as the Board of Supervisors minority leader for most of the years he served on that panel.

Bud will especially be remembered for his extraordinary efforts, after the close of World War II, in establishing the Orange County Community College (OCCC). The movement to establish two-year colleges had not yet caught fire nationwide at that point, but Bud was a prophet in foreseeing the benefit it would present not only for students but also for the economy of the whole region. When OCCC was established in 1950, Bud was appointed to their Board of Directors and served in that capacity for 23 years.

Bud Demerest was a veteran of the U.S. Army Air Corps in World War II. He was also a 50-year member of the Walton Engine and Hose Company, a life member of the Orange County Volunteer Firemen's Association, and the New York State Firemen's Association. He was also active in the American Legion, the Masons and Shriners, the Chester Historical Society, the Chester Little League, and many other community organizations.

Bud was predeceased by his lovely wife Ruth, but is survived by one son, one daughter, six grandchildren, one great-grandchild, and several nieces and nephews. William "Bud" Demerest served the public in many capacities, but each was outstanding as a good neighbor and friend. He will long be missed.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JULIAN C. DIXON, MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2000

Ms. LEE. Mr. Speaker, I join my colleagues in sharing my deep sense of shock and loss for our beloved JULIAN DIXON.

JULIAN was a warrior and a statesman. I met JULIAN in 1975 when I worked as a member of Congressman Ron Dellums' staff, who I know joins us in remembering this great human being.

I will always remember how JULIAN treated me as a staff member—with respect and dignity. I know today, his staff would want me to say that JULIAN was a wonderful boss and demonstrated with them as he did with us his tough love. His fierce strength kept many of us centered and thinking clear about any issue.

As a member, JULIAN counseled me many times on the tips of the trade. Whenever an issue relating to my district came before appropriations, JULIAN would check up with me first to consider my views. He didn't have to do that. He never let me get blind-sided. Some of my most special moments with JULIAN were riding home with him. We live around the corner from each other.

During these rides we talked about so many things he cared about like his constituents; the people of California; and the people of his native home, Washington, DC. He always reminded me that I should not let the business of my life in Washington, DC get in the way of my personal friendships. All of us need to remember his words of wisdom and I thank him for his friendship. I want to thank Bettye and JULIAN's family and his home district for sharing this great leader with us and wish

them God's blessings. May JULIAN's soul rest in peace.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JULIAN C. DIXON, MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2000

Ms. ROYBAL-ALLARD. Mr. Speaker, it is with a heavy heart that I rise to express my deep sadness for the passing of my friend, mentor, and fellow Angeleno, JULIAN DIXON.

I had the privilege of knowing JULIAN DIXON for many years, including the years he served with my father, Congressman Edward R. Roybal, in the 1970s and 80s.

JULIAN served his Los Angeles-area community and the state of California as a member of the California State Assembly and in Congress with distinction.

JULIAN DIXON's achievements during his nearly three-decade tenure as a legislator are too numerous to recount. He was chairman of the House Ethics Committee, maintaining bipartisanship on a traditionally partisan committee. A fighter in the struggle for civil rights, he brought that commitment to his chairmanship of the District of Columbia Appropriations subcommittee where he was a strong advocate for the rights of DC residents. Recognizing his leadership capabilities, JULIAN was elected Chairman of the influential Congressional Black Caucus in the 1980s. More recently, he served as ranking Democrat on the prestigious and demanding Select Intelligence Committee.

When I was appointed to the Appropriations Committee two years ago, I was delighted at the opportunity to serve with JULIAN on the Commerce-Justice-State-Judiciary Subcommittee because I knew my staff and I would benefit greatly from his expertise and knowledge of the agencies, programs and issues that would come before the committee.

JULIAN was extremely skillful at getting straight to the heart of a policy question. While he never hesitated to express his displeasure with any administration official—be they Attorney General or Secretary of State—he always did so in a calm, dignified and respectful manner. He did not view his role on the subcommittee as solely partisan, but rather to make sure that the government was doing its job to serve the interests of his constituents and the American people as a whole.

One anecdote in particular illustrates the way JULIAN worked and the high degree of respect accorded him by Democrats and Republicans alike. Last year, which was my first year on the Appropriations committee, the Los Angeles police department was involved in a series of controversial shootings involving officers. Learning of the incidents, JULIAN immediately understood how critical it was to the future of Los Angeles and law enforcement to ensure that such shootings were thoroughly investigated. As a result, JULIAN worked with city officials and the district attorney's office to develop a program for "roll-out teams" to quickly respond to these shootings and ensure a thorough and impartial investigation.

I still remember when JULIAN asked me to accompany him when he went to Chairman Hal Rogers to describe the problem and to ask for funding for the roll-out teams. That the chairman immediately agreed to include the funding for this critical program in the conference report is indicative of the respect with which JULIAN was held. I don't think JULIAN ever put out a press release about obtaining this important funding, but I know it has had a positive impact in helping us address one of the problems with our troubled police force.

This is just one example of JULIAN's hard work and commitment to his community, and his ability to produce results based on his stature and respect in the House. Whether it was fighting for emergency funding for Los Angeles after the riot in 1992 and the Northridge earthquake in 1994, or advocating on behalf of the Los Angeles public transportation system, JULIAN DIXON was a devoted and effective legislator.

While JULIAN DIXON will undoubtedly be remembered for years to come as an outstanding legislator, I will remember him as a cherished friend and trusted mentor. Whether providing guidance on the rules and procedures of the House, Los Angeles politics, or committee assignments, his advice was always welcome and sound.

In this time of extreme partisanship and legislative gridlock, it is my hope that we can all learn from the example of our friend and colleague, JULIAN DIXON.

While it is clear that JULIAN will be dearly missed, his hard work and dedication, dignity, and bipartisan manner will serve as an enduring model to all.

TRIBUTE TO MASTER SERGEANT ROBERT SMITH

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. SPENCE. Mr. Speaker, I wish today to bring to the attention of the House an article from *The Lexington Chronicle*, about Army Master Sergeant Robert Smith, which gives an account of his impressive military record. Sergeant Smith is truly a great American

[From the Lexington County Living,
November 9, 2000]

A YOUNG WARRIOR'S TALE

ROBERT SMITH ENLISTED IN THE ARMY AT THE
AGE OF 14

(By Robert Smith and Mike Rowell)

Early in 1950, the North Koreans invaded South Korea. I had just joined the 511th Airborne Infantry Regiment of the 11th Airborne Division at Fort Campbell, Ky, in April. So I volunteered for duty in the Korea War.

I arrived in Korea in early September, 1950 and was assigned to the intelligence and reconnaissance platoon of the 7th Infantry Division. Most of the time, we just went up the mountains and down the valleys of Korea. I was wounded for the first time while on patrol near Souwan.

Like many boys who grew up during World War II, my dream was to be a soldier. I was especially interested in the paratroopers and Darby's Rangers. I dreamed that the military was the life for me.

Just three months after my fourteenth birthday, I decided start living my lifelong

dream. I went and enlisted in the U.S. Army. I lied and gave my age as 17, which required parental consent.

The recruiter said that he would drive me to my house for my mother's signature. However, when we arrived at the end of the twisting road with my house still a mile hike up the mountain side, he stopped the car.

He said, "You go get your mother to sign here."

I had counted on that! My cousin signed it. I was in the Army now.

My basic training was at Camp Pickett, Va. During boot camp, I did something wrong and my platoon sergeant called me down and said, "You little SOB—I know you're not old enough to be in the Army. If I thought you could make a living on the outside, I would have your ass kicked out."

After basic training, I volunteered for the Airborne and completed jump school in March of 1949—it was one day after my fifteenth birthday. At this time the 11th Airborne Division was coming stateside from Japan, and the 82nd Airborne was at full strength. So I was assigned to Germany and flew security on aircraft involved in the Berlin Airlift.

Then came Korea. Just before New Year's Day 1951, the 2nd Airborne Ranger Company was assigned to my division. I volunteered and was assigned to this illustrious Ranger company.

Not long after that, I was wounded a second time and sent to a hospital in Japan. After recovery, I was returned to Korea for a time. But shortly thereafter I was rotated back to the United States at Fort Campbell, Ky.

Incidentally, I bumped into my old basic-training drill sergeant—the one who had threatened to kick me out of the Army. I don't know what he had done, but he had been busted from master sergeant to private first class. My rank was sergeant first class. Revenge is a dish best served cold!

In November 1952, I was assigned to the 32nd Infantry in my old division after I re-volunteered for duty in Korea. We saw action at Old Baldy, Pork Chop Hill, White Horse, and Jane Russell, names that will never be forgotten. I was assigned as a forward observer with the Ethiopian Battalion. I was wounded again during the final battle of Pork Chop Hill.

After the Korean War, I had to adjust to the peacetime Army. During this period, the Army decided to change the dress uniform from Khaki to green. The orders went out for a group of soldier to model the 'new look.'

The requirements were simple. You had to be at least six feet tall and a combat veteran. I was one of the four men, out of 258 from the 3rd Army who were selected. During the next three and a half years, I traveled throughout the United States, Europe, and Japan, modeling the new uniform. What a change from Korea!

One morning in 1964, I was at the Pentagon at the enlisted branch records department. I signed in, stated my reason for being there, and sat down to wait my turn. A sharp looking sergeant picked up the sign-in sheet, left the room. When he returned he announced,

"There are 28 noncoms in here trying to get out of going to Vietnam. There is only one trying to go there. Sgt. Smith, come with me."

I had my Vietnam assignment within thirty minutes. I went back overseas as an advisor. I was wounded for the fourth time during that tour.

My second Vietnam tour was with the 11th Airborne Cavalry's Long Range Patrol. We were involved in typical Vietnam operations—patrol, search and destroy. On one of those patrols I was wounded for the fifth time.

I retired on December 30, 1969. There was a big ceremony for those who were retiring. I was supposed to be awarded my fifth Purple Heart and the Army Commendation Medal for Valor.

When the major general came to me he said, "Sergeant, how old are you? You look like you should be coming in, not going out."

Instead of pinning my medals on, he handed them to me and said, "You have more medals than I do. Put them on wherever you can!"

Robert "Smitty" Smith earned the Combat Infantryman Badge and was awarded a Bronze Star for Valor and a Purple Heart at age 16. He earned the Silver Star, a second Bronze Star for heroism and two Purple Hearts by age 17, all while serving in Korea.

He also received the U.S. Navy Commendation Medal for leading a squad that assisted the return of a U.S. Marine patrol that had been surrounded by an enemy force.

During his two tours in Vietnam, he received two Purple Hearts, another Combat Infantryman Badge, the Army Commendation Medal for Valor, his third Bronze Star for Valor, the Air Medal, and the Vietnamese Cross of Gallantry with Palm. He proudly wore a Master Parachutists Badge.

Smitty and his wife Ann live in Gilbert, South Carolina. They have three sons, a daughter, and five grandchildren. All three sons served in the Airborne infantry. One son, an underage veteran who joined the Army at age 15, was killed in an automobile accident in 1993.

Sgt. Robert Smith, Ret. is a proud member of the Veterans of Underage Military Service (VUMS). This organization is open to veterans of the Army, Navy, Marines Corps, Air Force, Coast Guard, and the Merchant Marines.

VUMS is actively seeking eligible members. The National Commander is Edward E. Gilley, 4011 Tiger Point Blvd., Gulf Breeze, Florida, 32561-3515. He can be reached at 888-653-8867, FAX at 850-934-1315, or you can e-mail him at ed-bess-gulfbreeze@att.net.

TRIBUTE IN MEMORY OF FORMER CONGRESSMAN HENRY B. GONZALEZ

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 5, 2000

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to pay tribute to former Rep. Henry Gonzalez, who passed away on Tuesday, December 5th, at the age of 84.

Throughout his career, Henry Gonzalez was an unwavering champion for equal justice and civil rights and a powerful voice for the disenfranchised. Henry first entered public life in 1953, when he was elected to the San Antonio City Council. The son of Mexican immigrants, he came along when Texas was a black and white society and Hispanics were generally not considered to be a minority group. Nevertheless, he spoke forcefully against segregation of public facilities and helped to shepherd passage of desegregation ordinances. Later, after he became the first Mexican-American to serve in the Texas State Senate, he attracted national attention for successfully filibustering several racial segregation bills that were aimed at circumventing the U.S. Supreme Court's decision in the *Brown v. Board of Education* case.

In 1961, Henry Gonzalez again broke new ground by being elected the first Hispanic Representative from Texas. Ultimately, he served 19 terms, longer than any other Hispanic Member of Congress. More importantly, he never lost touch with his constituents and his community during his tenure in Congress. He demanded that issues affecting the people of San Antonio receive his personal attention.

Throughout his time in Congress, Henry Gonzalez served on the Committee of Banking, Finance, and Urban Affairs. There, he focused his legislative efforts on making credit more accessible to ordinary people, improving public housing, and helping many Americans to become homeowners. Early in his congressional career, he worked for the passage of the landmark Housing Act of 1964. Later, when he became Chairman of the Subcommittee on Housing and Community Development in 1981, he was instrumental in getting approval for a program to assist families who faced foreclosure on their homes. He also strongly defended public housing programs when the Reagan Administration proposed to cut them sharply.

In 1989, he became Chairman of the full Banking Committee. His first urgent order of business was to deal with the collapse of the savings and loan industry, a crisis he had predicted throughout the 1980's. As he began working to craft a solution, it became apparent to him that any bailout, although necessary for the nation's banking system, would be extremely unfair to low and moderate income Americans. He realized that they would derive little or no benefit from the bailout even though they had to share in the burden of fashioning a remedy for the excesses and poor decisions of savings and loan managers in the previous decade. The need to make credit more available to low income Americans and to depressed communities laid the groundwork for later legislative efforts and culminated in the enactment of the Community Reinvestment Act.

Overall, the Banking Committee under Henry's leadership held more than 500 hearings and obtained enactment of 71 bills. Among the other major bills that the Committee produced included restructuring the federal deposit insurance system to provide depositors a greater guarantee for their savings, making more credit available to small business, reauthorizing federal housing laws, and strengthening the laws pertaining to financial crimes.

I want to especially thank Representative MARTIN FROST for leading a special order in honor of Henry Gonzalez. Henry Gonzalez was a giant and true champion of Texas, and it is fitting for a Texas Member who currently serves in the House leadership to lead this tribute. Henry was not just a giant in Texas politics but also a mentor to all of us in the Texas delegation. I am certainly proud to have had an opportunity to serve with him and learn from his example. The people of Texas and his constituents in San Antonio will miss him, and his colleagues here in the Congress will fondly remember his kindness, friendship, and devotion to public service.

FOR CLINTON'S LAST ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, I would like to commend Robert S. McNamara, who served as defense secretary under President John Kennedy and Lyndon Johnson for his editorial that was published in the December 12, 2000 edition of the New York Times. Mr. McNamara is calling on President Clinton to sign a treaty, finalized in Rome in 1998, that would create a permanent International Criminal Court. Senator JESSE HELMS has promised to block any attempt to ratify the pact. As Mr. McNamara correctly points out, Senator HELMS' justification for not ratifying the treaty are unfounded. The tribunal of 18 world jurists would only have jurisdiction to charge those who commit specific crimes that outrage the international community as a whole, and each nation would retain the right to try its own nationals in a fair trial under its own laws. More than 25 nations have ratified the agreement, but we must have 60 nations to ratify before the court can begin trying cases. Given there is an urgent need to deter future atrocities, I urge President Clinton to sign the International Criminal Court agreement with all deliberate speed, and call on Senator JESSE HELMS, in the spirit of justice, freedom, and humanity, not to block the agreement. To do so would be a travesty of justice.

[From the New York Times, Dec. 12, 2000]

FOR CLINTON'S LAST ACT

(By Robert S. McNamara and Benjamin B. Ferencz)

With the stroke of a pen, President Bill Clinton has a last chance to safeguard humankind from genocide, crimes against humanity and the ravages of war itself. He must simply sign a treaty, finalized in Rome in 1998, to create a permanent International Criminal Court.

If he signs the treaty before Dec. 31, the government does not have to ratify the treaty at this time. After that date, any country has to both ratify and sign the treaty to become a member. This is no small consideration, since Senator Jesse Helms, chairman of the Foreign Relations Committee, has promised to block any attempt to ratify the pact.

Why does Mr. Helms object to a permanent international criminal court? He and others are worried that an unchecked international court could infringe on basic American constitutional rights for fair trials. For instance, they want ironclad guarantees that the court would never try American soldiers. Pentagon officials fear that Americans might be falsely accused of crimes, thus inhibiting our humanitarian military missions.

These worries are unfounded. The tribunal of 18 world jurists only have jurisdiction to charge those who commit specific crimes that outrage the international community as a whole. Under the treaty, no one can be convicted without clear proof of intent to commit the illegal act. The prosecutor is subject to judicial and budgetary controls that promise both competence and objectivity.

And most important, each nation retains the primary right to try its own nationals in a fair trial under its own laws. There are some crimes, like sexual slavery and forced pregnancy, that the treaty covers, which are

not specifically enunciated in our own country's military laws and manuals. Robinson O. Everett, a former chief judge of the United States Court of Appeals for the Armed Forces, has recommended incorporating these crimes into our federal laws, assuring that any American military personnel charged with a crime could be tried by American courts.

Genocide is universally condemned but there is no universal court competent to try all perpetrators. The Nuremberg war crimes trials, inspired by the United States and affirmed by the United Nations, implied that "never again" would crimes against humanity be allowed to go unpunished.

Today, we have special courts created by the United Nations Security Council that have very limited and retroactive jurisdiction. For instance, war crimes tribunals are now coping with past atrocities in Yugoslavia and Rwanda. But these tribunals are hardly adequate to deter international crimes wherever they occur.

The president must help deter future atrocities. At the United Nations and elsewhere, he and Secretary of State Madeleine Albright have repeatedly called for an international court to carry forward the lessons of Nuremberg. Now, he has a chance to take action. More than 100 nations, including all our NATO allies, have already signed. Some 25 nations have ratified; others are well on the way. The court cannot begin trying cases until at least 60 nations have ratified.

If President Clinton fails to sign the treaty, he will weaken our credibility and moral standing in the world. We will look like a bully who wants to be above the law. If he signs, however, he will reaffirm America's inspiring role as leader of the free world in its search for peace and justice.

IMPROVING AMERICA'S VOTING SYSTEMS

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. ROTHMAN. Mr. Speaker, I am proud today to join my colleague and friend, the gentleman from Virginia, TOM DAVIS, and the gentleman from Rhode Island, PATRICK KENNEDY, in introducing legislation to improve our Nation's voting systems.

Our message today is simple: While we will never have a perfect system for electing our leaders, we must always seek improvements to that system so the will of the American people always prevails. Improving our voting systems will not be a simple task. But we will achieve our goal in our nation's best traditions of open debate and bipartisan consensus. One encouraging development from this year's Presidential election, is that it has prompted an important debate, about the problems with our various voting systems across the country and how we must work together to improve them. We believe one way to improve the system is by creating a strong, bipartisan council, to be known as the "Commission on Electoral Administration." The Commission would be charged with reviewing how we conduct our elections across the country, and issuing recommendations to make sure that the difficulties experienced by the voters of Florida do not occur again.

The Commission would be funded with \$100 million. The money would be dispersed as voluntary matching grants, to states and local

communities that choose to implement the commission's modernization recommendations. This effort is in no way an attempt to federalize state or local elections. It is, quite simply, a way to give local communities the financial help they need to purchase better election equipment and to run fairer, more accurate elections. Despite some of the inflammatory rhetoric of the past few weeks, I know that members on both sides of the aisle want to have the best process for voting and the most accurate method of counting those votes.

Our ultimate goal must be to ensure that every American is heard when they go to vote. It is in our national interest to do so. I believe this legislation will take us one step closer to that goal.

TRIBUTE TO KATHERINE WEAVER SCHOMP

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Ms. DeGETTE. Mr. Speaker, I would like to recognize the notable accomplishments and extraordinary life of a woman in the 1st Congressional District of Colorado. It is both fitting and proper that we recognize this community leader for her exceptional record of civic leadership and invaluable service. It is to commend this outstanding citizen that I rise to honor Katherine Weaver Schomp.

Kay Schomp was a remarkable woman who lived a remarkable life. She touched the lives of many people and made a tremendous impact on our community. Her indomitable spirit sustained her through many challenges and molded a life of notable accomplishment. Born in Pueblo, Colorado, she attended the Pueblo Public Schools and thereafter continued her education at Bossier's, Neutilly-Sur-Seine, France, the University of Colorado at Boulder and George Washington University in Washington DC where she graduated with a Bachelor's Degree in International Relations. She married Ralph Schomp in 1941 and was the mother of six daughters—Sara, Halcyon, Caroline, Lisa, Katherine and Mary Margaret.

Those who knew Kay Schomp understood that her passion was community service. She was well known in the Denver area for her outspoken commentary and for her immeasurable contribution to the life of our community. She has amassed a distinguished record of leadership and has made numerous contributions in many areas. But her contributions to education and children, health care, media and the arts are of particular note.

Kay was a powerful advocate for equal education and in 1973, she was elected to the Denver Public Schools Board of Education where she served in numerous capacities which included chairing the special education, investment and facilities planning committees, and the City-Schools Coordinating Commission. She organized and facilitated the Student Board of Education, the Integrated Arts Program, the Gilpin Extended Day Care School and served on the National School Boards Association. In media and the arts, she served on the Colorado Commission on the Arts, the Council for Educational Television and the Public Broadcasting Service. She was a board

member of Denver Community Television, the Five Points Media Association and the Cable Television Coordinating Committee. In health care, she served as a board member for the Denver Mental Health Association, the Denver Board for the Developmentally Disabled, and the Denver Visiting Nurses Association.

Kay Schomp was also a successful businesswoman and was the co-owner and operator of KWS Investments, a firm specializing in urban properties. Kay also found time to serve on the Mayor's Child Care Advisory Commission, the Denver Youth Commission, and serve as a board member of the YMCA of Denver and the League of Women Voters.

It comes as no surprise to our community that Kay Schomp was the recipient of numerous awards including the American Civil Liberties Union Whitehead Award, the Denver Mayor's Commission on the Arts, Culture and Film Award, the International Women Writer's Guild Artist for Life Award, the Bonfils-Stanton Foundation Award for Community Service, the CANPO William Funk Award for Community Activism and the International Women's Forum Life Achievement Award.

Kay Schomp lived a life of meaning and one that was rich in consequence. It is the character and deeds of Kay Schomp, and all Americans like her, which distinguishes us as a nation and ennobles us as a people. Truly, we are all diminished by the passing of this remarkable woman.

Please join me in paying tribute to the life of Kay Schomp. It is the values, leadership and commitment she exhibited during her life that has served to build a better future for all Americans. Her life serves as an example to which we should all aspire.

UKRAINIAN CARDINAL MYROSLAV LUBACHIVSKY (1914-2000)

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Ms. KAPTUR. Mr. Speaker, Ohioans, particularly those of Ukrainian ancestry, were saddened to hear of the passing yesterday of Cardinal Myroslav Lubachivsky, the head of Ukraine's Greek Catholic Church. Cardinal Lubachivsky was born in 1914 in the town of Dolyna in the Western Ukrainian province of Galicia and died not far from there in the city of Lviv, where he served as Archbishop and Metropolitan for millions of Ukrainian Catholics worldwide, including many in Ohio. Although the Cardinal was born in Western Ukraine and served his people as their spiritual leader until his last days, he spent more than half his life outside his native land, including 33 years in the United States.

Cardinal Lubachivsky left Ukraine in 1938 as a young priest to study in Austria. After the Second World War, he came to America where he spent more than twenty years serving as assistant pastor at Sts. Peter & Paul Ukrainian Catholic Church in Cleveland's Tremont neighborhood. There he celebrated mass, presided over the marriages of happy couples, baptized their newly-born infants and spoke the final words over the graves of thousands of his parishioners. He even drove the school bus for children attending the parish grade school. This scholarly, yet humble man

seemed content to serve God and his fellow Ukrainian-Americans in this quiet, unassuming way when unexpectedly he was elevated to be the Metropolitan-Archbishop of Philadelphia. In 1980, he moved to the Vatican and in 1984, became worldwide head of the Ukrainian Greek Catholic Church following the death of the saintly Cardinal Joseph Slipy.

Joseph Slipy had become the head of the Ukrainian Greek Catholic Church in 1944 when Western Ukraine was incorporated into the Soviet Union. Prior to that, Western Ukraine had been part of the Austrian Empire and Poland. Almost immediately, the Soviet Secret Police started carrying out Stalin's order to liquidate the Ukrainian Catholic Church. The entire clergy was either arrested or forced to renounce their faith. Most declined to do so and ended up in Siberia or were shot. Archbishop-Metropolitan Slipy spent 17 years in labor camps until Pope John XXIII finally negotiated his release in 1963. As a cardinal of the Catholic Church, Joseph Slipy went to work rebuilding his church in the underground in Ukraine and in places like Cleveland, Ohio where Myroslav Lubachivsky served as assistant pastor.

In 1991 with the collapse of the Soviet Union, His Eminence Myroslav Lubachivsky, a Cardinal and a U.S. citizen, returned in triumph to the city of Lviv to preside over the Ukrainian Catholic Church and its historic St. George's Cathedral. "This native church of mine was resurrected and rose from the grave," he said at the time. Tens of thousands of Ukrainian Catholics, many weeping and singing hymns, lined the streets to greet their Cardinal and Archbishop-Metropolitan.

Cardinal Myroslav Lubachivsky had one of the most extraordinary and fulfilling lives that spanned nearly the entire 20th Century. He served through some of the most difficult periods of that turbulent era and he lived to see his faith and the faith of millions of his parishioners rewarded with the restoration of his church, which not only survived enormous evil, but ultimately prevailed over it. I join in paying tribute to this great man and offer my condolences to all those in Ohio and throughout the world who benefited from his spiritual guidance and leadership and now mourn his passing.

NO SURPRISE. IT'S AN ACTIVIST COURT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, today I rise to commend Larry D. Kramer, professor of law at New York University, who eloquently points out in a December 12, 2000 New York Times editorial that the Supreme Court, under the leadership of Chief Justice Rehnquist, has steered the court towards "conservative judicial activism." Mr. Kramer points out that the Rehnquist Supreme Court's recent decision to step into the Florida Presidential vote controversy should be no surprise, given the recent Supreme Court's past judicial behavior. Mr. Kramer offers a litany of examples that show how the Rehnquist Supreme Court has a conservative judicial activist agenda. For example, the Supreme Court cast aside nearly

70 years of precedent in the area of federalism, by ruling that Congress could no longer address violence against women, could not impose liability on state governments for age discrimination, or could not hold states accountable for violating copyright laws. The Florida case shows that judicial prerogative, not state's rights guides the Rehnquist Supreme Court. The recent Supreme Court ruling to vacate the Florida Supreme Court's decision to allow for the recount of uncounted ballots during the Bush-Gore Presidential election unfortunately will forever taint the Supreme Court as arrogant, impartial, and partisan. Professor Kramer's deserves praise for analyzing the Supreme Court's drift towards "judicial prerogative," and away from a strict constructionist judicial philosophy.

[From the New York Times, Dec. 12, 2000]

NO SURPRISE. IT'S AN ACTIVIST COURT.

(By Larry D. Kramer)

The Supreme Court has reached out aggressively to solve the nation's election problem, inserting itself into a major political controversy. News commentators and legal experts seemed surprised when the court stepped into this thicket. They shouldn't have been.

the Rehnquist Court has been using law to reshape politics for at least a decade. We keep hearing that it consists of "strict constructionists" who (as George W. Bush put it during the debates) oppose "liberal judicial activism." That's because conservative judicial activism is the order of the day. The Warren Court was retiring compared to the present one.

Warren Court activism was largely confined to questions of individual rights, mainly racial equality and the treatment of criminal defendants. The Rehnquist Court has been just as active in this domain. To list a few examples, it has disowned affirmative action, finding no difference between Jim Crow and laws designed to help disadvantaged minorities. It has overturned decades of jurisprudence that protected religious minorities from laws that intruded on their rituals. And it has all but eliminated the right to federal review of state criminal cases.

Individual rights are important, but they actually affect only a small portion of what government does. The real guts of our democracy lie in the system's structure and the way powers are allocated. And here the Warren Court was extremely deferential to other branches of government. Not so the Rehnquist Court, which has abandoned restraint in this area as well.

The court cast aside nearly 70 years of precedent in the area of federalism, holding that Congress cannot use its powers under the Commerce Clause or the 14th Amendment to regulate matters that touch on state interests, unless the court approves. It has declared, among other things, that Congress could not address violence against women, could not impose liability on state governments for age discrimination, could not hold states accountable for violating copyright laws and more.

But perhaps the most audacious instance of judicial activism is the way the court has extended the doctrine of judicial review itself. It was the Warren Court that first clearly established, in connection with school desegregation, that the Supreme Court has the final word about the meaning of the Constitution. Still, that court usually (though not always) gave great weight to the interpretations of other political actors.

But the Rehnquist Court has no such inclination. Thus the court struck down the Reli-

gious Freedom Restoration Act because it was unwilling to give Congress the authority to provide greater protection to religious minorities than the court itself would give.

Many have viewed the court's actions as aimed at protecting states by limiting the federal government. But the Florida case shows that state governments get no more deference than other branches of government when they run afoul of the court's views of what the law ought to be. Judicial prerogative, it seems, not states' rights, has been at the heart of the Rehnquist Court's docket.

The court's confidence in its own supremacy may have propelled it to try to settle this presidential crisis. And if the court succeeds, the nation may well breathe a sign of relief, grateful that someone brought this mess to a close. But the court's credibility will surely suffer. And if that diminishes a confidence that has begun to veer toward arrogance, this may not be such a bad thing.

IN HONOR OF DAVID RIVERA
CARRASCO, JR., FOR HIS SERV-
ICE AND DEDICATION TO OUR
NATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Ms. SANCHEZ. Mr. Speaker, today I rise to pay tribute to David Rivera Carrasco, Jr., in memory of his service to the community as a loyal citizen and as a proud member of our Armed Services.

Mr. Carrasco was born on February 9, 1918 to David and Angelita Rivera Carrasco in El Paso, Texas. The family relocated to Coachella, California in 1920. In January of 1942, Mr. Carrasco was enlisted into the U.S. Army. He served seven months in the Continental Army as a military gunner and search light crew member. As a member of the 349th infantry, Mr. Carrasco was dispatched to New York to protect the Atlantic coast from foreign invasion. In August 1942, Mr. Carrasco was reassigned to serve under General George Patton's forces in Europe and Northern Africa. He served proudly under General Patton for four years as an engineer. His work in the front lines of North Africa helped to turn the tide against the Axis forces and liberate France and Italy. For his bravery and dedication, Mr. Carrasco was awarded the Good Conduct Medal and the European African Middle Eastern Campaign Medal for Bravery.

The bravery and patriotism demonstrated by Mr. Carrasco could also be found in his brothers Joe and Samuel, who also served in the U.S. Armed Forces. Joe served under General Dwight Eisenhower and was among the first wave of soldiers to storm the beaches of Normandy on June 6, 1944. Samuel was dispatched to the Pacific Islands and served his country valiantly. Mr. Carrasco and his family are truly a distinguished part of our nation's military history.

Colleagues, please join me in celebrating the life of a true American hero. Mr. Carrasco will be remembered for his service to our country and the community. He is survived by his sister Antonia Carrasco Cervantes and his brother-in-law Gregorio Cervantes, Sr. As his Representative in Congress and as a member of the Armed Services Committee, I am proud to recognize David Rivera Carrasco, Jr., for his contributions to our nation.

METHAMPHETAMINE LEGISLATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Ms. BERKLEY. Mr. Speaker, I rise to express my strong support for the methamphetamine legislation signed into law this session as part of the Children's Health Act of 2000. I strongly support the provisions of this bill that address the methamphetamine problem and the sale of pseudo-ephedrine, the primary ingredient in the manufacture of methamphetamine.

The production of methamphetamine and the unregulated sale of pseudo-ephedrine is a serious problem in my district of Las Vegas. Local law enforcement agencies work tirelessly to combat the abuse of this drug, and to crack down on the toxic methamphetamine laboratories that inhabit rental properties and hotel rooms that are often used by tourists.

I concur with the provisions in the legislation to reduce the amount of pseudo-ephedrine that can be purchased in a single transaction from 24 grams to 9 grams. At the present time, the 24 grams of pseudo-ephedrine that can be legally purchased equates to about 900 tablets. It seems obvious that a person in need of pseudo-ephedrine for its intended purpose to relieve cold symptoms does not need this quantity of the drug.

I also strongly support the provisions of the bill that strengthen the sentencing penalties for those who manufacture this drug, and the provisions that provide the critical training to local and state law enforcement agencies so they are able to safely and effectively fight this drug. However, I believe that it is equally important that we take the next step and increase regulation of the sale of pseudo-ephedrine.

I have talked with local law enforcement agencies about the unregulated sale of pseudo-ephedrine and I'm all too familiar with the frustrations they face on a daily basis. There is evidence that drug wholesalers from other states come into the State of Nevada and sell pseudo-ephedrine by the caseload to retail outlets. When the distributors are asked why they traveled such distances to sell their drug in Las Vegas, they simply say that their home state "does not have a methamphetamine problem." This is shameful, and the problem must be rectified.

There is no federal law requiring retail outlets that sell limited amounts of pseudo-ephedrine to keep records of transactions. Without federal regulation, there is no uniform, reliable method to track the distribution of this drug. Illegal methamphetamine laboratory operators may continue to buy this drug by the caseload without a single record of transaction being documented. And because there is no federal regulation, law enforcement agencies do not have authority over the exchanges.

Reducing the number of grams for purchase and increasing fines and penalties are a step in the right direction. But more needs to be done. We need to have greater accountability and we need to give law enforcement agencies the authority to intervene when drugs are being purchased for illegal activities.

Methamphetamine is a growing problem already plaguing many cities and it is spreading across the nation. We must make common

sense changes in our national policy today, in order to curtail the drug crises of tomorrow. I applaud the recent changes regarding methamphetamine and the sale of pseudo-ephedrine, and I will support future efforts to strengthen these policies.

HONORING BOBBIE HOUSEHOLDER

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. DUNCAN. Mr. Speaker, I would like to take this opportunity to recognize an outstanding citizen of East Tennessee, Mrs. Bobbie Householder. She has recently been given the 2001 Pride of Tennessee Award, an award presented annually to a person with a history of dedication to the community of Blount County.

Mr. Speaker, I can think of no better person this could be awarded to than Bobbie Householder. She worked for the Blount County Chamber of Commerce for 33 years, but her service to the people in her community did not end there. Since her retirement, Bobbie has served as President of the Friends of the Library. In addition, she is also a member of the Keep Blount Beautiful Board and a member of the Blount County Bicentennial Committee, just to name a few. I commend Mrs. Householder for her dedication and tireless work for the community in Blount County. This County would be a better place if there were more people like Bobbie Householder.

Mr. Speaker, I have included a copy of a story that ran in the Daily Times that honors Mrs. Householder and would like to call it to the attention of my fellow colleagues and other readers of the RECORD.

[From The Daily Times, Dec. 5, 2000]

BOBBIE HOUSEHOLDER'S WORK AS VOLUNTEER IS UNEQUALED IN BLOUNT

No one individual's life is as entwined in the history of the Blount County Chamber of Commerce as that of Barbara Ann "Bobbie" Householder and few, if any, have been as involved in the community.

As most of you know, Bobbie is the recipient of the 2001 Pride of Tennessee Award presented annually by Blount County Executive Bill Crisp to someone who has a history of community involvement and always has been willing to work for a better place for all of us to live and work. Bobbie and husband Glen, married for 53 years, have three offspring. Glenda Eastridge is a teacher at Lanier Elementary; Alan, the outdoors man, works at Southern Safari in Asheville, N.C., has hiked the Appalachian Trail, the Pacific Crest Trail, and the Mountain to Sea Trail from Newfound Gap to the Outer Banks in North Carolina, as well as across England; and Gary, a retired Army lieutenant colonel who lives in Louisville, KY. They have four grandchildren, Cindy and Brain Householder in Louisville and Jeff and Amy Eastridge in Alcoa. A native of Knoxville, Bobbie moved to Blount County in 1952, went by the Blount County Chamber of Commerce/United Way office a few days to help them out and retired after 33 years with the chamber.

For many years the chamber staff consisted of the executive director, bookkeeper, and Bobbie who was the jack of all trade, doing office responsibilities plus coordinating chamber projects. For 25 years she was responsible for the United Way cam-

paigns, just part of her responsibilities. In the end the "umbrella" administrative office included the Blount County Chamber of Commerce, Blount County Industrial Board, Chamber Foundation, and the Smoky Mountain Visitors Bureau. She served as vice president of all except the industrial board. Bobbie worked with five executives, Bob Lamb, Wilson Borden, Ken Faulkner, Jim Caldwell and then almost 18 years with Bill Dunavant. During that time she worked with 34 chamber presidents from J.P. Huddleson in 1961 through the first part of the term of Brad Sayles in 1994.

When she began work, the office was in Maryville Municipal Building, then it moved to come out on a Thursday. Then, on Sunday, I read an article about "how the officers involved had been affected by this," McConnell said. "I called the sheriff Sunday afternoon and told him about our idea. He jumped on it. He said he never wanted to cover another case like the one in Townsend." Sheriff James L. Berrong took the "safe place" idea to Attorney General Mike Flynn. A week later, more than a dozen people sat down to talk about changing the idea into reality. Those at the meeting included: State Sen. Bill Clabough; Representative-elect Doug Overbey; Blount County Health Department director and former pediatrician Dr. Ken Marmon; June Love of the Blount County Department of Children's Services; Lynnette Hammett and Barbara Collins of Child and Family Services; Adina Chumley, public information officer for the sheriff's department and the adoptive mother of two; Knox County District Attorney Randy Nichols; Smid of Hope Resource Center; Flynn, the father of a son and daughter; Berrong, the father of a son and daughter; McConnell and Yount.

SAVING BABIES, MOTHERS

Nichols agree to write the first draft of the proposed legislation using laws from other states as examples. Clabough has agreed to introduce a Secret Safe Place law for Tennessee when the legislature convenes in January. "I can't imagine a valid reason it would not pass," McConnell said. The group discussed the pros and cons of making it possible for a mother to surrender her baby without being identified and without fear of being prosecuted. McConnell and Yount shared the facts and figures they gathered last spring with additional information they collected in the fall.

Alabama was apparently the first to start working on legislation making a "Secret Safe Place for Newborns" possible. The idea was sparked there by a reporter "Jody Brooks" after she covered two cases of babies abandoned and later found dead. Texas was the first state to actually pass legislation to protect mothers who surrender their babies from prosecution and provide them with a way to remain anonymous. The law was passed there after 13 dead babies were discovered in just over a year.

McConnell and Yount have also spoken with Terry Little, director of the emergency room at Springhill Memorial Hospital in Mobile, Ala., where Little accepted the first baby surrendered after the legislation passed. Little told the Maryville women since the law provides surrender at hospitals, even the cleaning staff has been trained in how to handle those situations.

Yount said Blount Memorial Hospital has been contacted and will be represented in future meetings about the program.

McConnell said they also discussed how to help frightened young girls unable to get to a hospital without asking someone to drive them. A private hot line is proposed which would allow someone to call and report the location where a baby would be left, allowing an officer to pick up the newborn.

Yount said babies being surrendered must be unharmed and released within 72 hours of birth. However, she said there is a period in which the mother may change her mind and reclaim her child. The mother is also asked to provide a family medical history since many diseases are hereditary, but she is not required to do so.

INFANT NEEDS IMPORTANT

She said babies in Mobile go immediately to adoptive parents to allow them to bond with someone as soon as possible.

Marmon said bonding is important to every child's well-being and must be considered carefully as the Tennessee law is being written.

Flynn said it might be possible to have couples seeking adoption qualified as foster parents so the baby could be placed with them immediately while the necessary paperwork is done to legally end the parental rights of the birth mother and father.

McConnell said in some states, those in the adoption community have expressed concern over the possibility of "unstable adoptions" of abandoned babies. "I don't see it affecting traditional adoptions," McConnell said. "Which is worse" an adoption that might not work out or a dead baby? Our concern is the rights of each child."

Some were concerned the law might relieve young women of responsibility for their actions, but McConnell and Yount said they believe caring for a baby by giving it up for adoption is a responsible option already available.

Others were concerned the new law might cause an epidemic of newborns being surrendered. However, there have only been five surrendered newborns in Alabama since the law took effect in 1996. More importantly, there have been no babies found abandoned and dead in Alabama or Texas since the laws were passed in the two states. "This is a tiny target group the law will affect," McConnell said. "Most pregnancies are found out by someone. It's those few who manage to keep it a secret throughout the pregnancy who may abandon the baby when it's born. "Babies shouldn't be hidden in sheds or dumpsters or under a bed, somewhere they will die."

MOTHERS ARE ANONYMOUS

Yount stresses the importance of allowing the mother surrendering a baby to remain anonymous. "This is a major issue," McConnell said.

She explained there is a fine line parents try to walk, to pressure their children to live up to their expectations as far as behavior but let them know they can come to a parent if they make a even a serious mistake. She said young girls who abandon their babies most often come from good families where they believe an illegitimate child would create an insurmountable problem. "We believe so fully in this program, we'll do whatever is necessary to get it going as soon as possible," McConnell said.

She helped establish and coordinated Homecoming '86 for Blount County, including a parade and an all-day celebration in Greenbelt Park, coordinated the dedication of the Fort Craig spring monument, as well as the Adopt A School program, Leadership Blount, and Keep Blount Beautiful. Bobbie was responsible for staffing the Smoky Mountain Visitors Bureau visitors center, advertising in national magazines, represented the organization at travel shows and worked with area tourism groups, kept the visitors centers supplied with brochures, and coordinated the Weekend in the Smokies which was sponsored by the chamber.

She was responsible for the Dogwood Arts Festival from its organization in 1979 through its first festival in 1980, an event

sponsored by the Blount Chamber Foundation. She was responsible for starting Dogwood Drives in 1983 and others that followed with the exception of the East Maryville, added since she retired, and the Teacher Mini-grant program. The last five years or so her title was Vice President of Community Development for the Chamber and she worked with all programs involving many community activities as well as other organizations.

While working, Bobbie spent many extra hours on the job because of her devotion to the community. And since retirement she has continued to be active. She has served as President of the Friends of the Library, a member of the Keep Blount Beautiful Board, member of the Blount County Bicentennial Committee and was responsible for a parade for an all-day celebration. She is currently serving as treasurer of Blount County Education Foundation and prior to that served two years as secretary for the Foundation. For four years she has served as chair of Day of Caring for United Way and presently serves as Communications Coordinator for the Holston Conference United Methodist Women. She is a member of Broadway Methodist Church.

She is serving as co-chairman of the Blount County Millennium Committee with activities coordinated with community organizations with a different focus on each month. Members of the committee designed an official Blount County flag which is available for sale in the county executive's office. The Adopt A School sponsors have purchased a flag for their school. This flag is really visible at the Blount County Justice Center.

Along with Bryan Cable, she leads a hike in the Smokies for the Dogwood Arts Festival. Previous winners include 2000—Tutt S. Bradford, 1999—Carmian "Connie" Davis, 1998—Stanley B. "Skeeter" Shields, 1997—Judson B. Murphy, 1996—Garland DeLozier, 1995—Stone Carr, 1994—Dean Stone, and 1993—Elsie Burrell.

The Volunteer State didn't get its nickname by accident. Its volunteers accomplish much of the work needed in communities across the state. Certainly none has done more than Bobbie who continued her volunteer efforts throughout major illness and surgery from which she has recovered.

Our hats are off to Bobbie and her outstanding example of volunteer work in Blount County, building a better community!

Our voice.

On Pride of Tennessee.

DEREGULATION CALLED BLOW TO MINORITIES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, today I rise to voice concern about the increasingly insurmountable barriers that minorities and women in the telecommunications and broadcast marketplace are experiencing since passage of the Telecommunications Act of 1996. Recent studies have shown that since deregulation, minority- and women-owned companies have had a more difficult time getting financing for starting new ventures and expanding, and when they have received financing, it is often on less favorable terms than comparable majority run businesses. Adverse trends in the courts and in Congress have had a negative

impact on small minority owned communication companies. It is imperative that Congress, the courts, the F.C.C. and the Bush administration help ensure that minority and women owned communications enterprises have equal opportunities in their abilities to compete in the marketplace. The following New York Times article is an excellent summary of this crisis.

[From the New York Times, Dec. 12, 2000]

DEREGULATION CALLED BLOW TO MINORITIES

(By Stephen Labaton)

Washington, Dec. 11.—The 1996 landmark law that was warmly embraced by the Clinton administration and many Republicans as a way to begin deregulating the nation's telecommunications industry has had the unintended effect of raising substantial new barriers for companies controlled by minorities and women, new independent studies commissioned by the federal government have found.

The studies show that the wave of consolidation in the broadcast, telephone and cable industries prompted by the Telecommunications Act of 1996 had created "nearly insurmountable obstacles" to those seeking to enter those industries and to thrive.

They also found that in general over the last 50 years, companies controlled by minorities and women have been far less likely to win government licenses for telephone service and radio or television stations, even if they are qualified to run those operations. In recent years, the studies found, the 1996 law in combination with changes in tax law and affirmative action rules, had made the problems for small businesses particularly acute.

"Today small firms face barriers erected by deregulation and consolidation in both wireless and broadcast," one of the studies said. "Minorities and women confront those same barriers; and yet those obstacles stand high atop a persistent legacy of discrimination in the capital markets, industry, advertising and community—and prior F.C.C. policies, which worsened the effects of discrimination."

"The barriers to entry have been raised so high that, left standing, they appear virtually insurmountable," the study concluded. "Minority, women and small-business ownership in these industries is diminishing at such an alarming rate that many we spoke with felt we had passed the point of no return."

While it has long been known that minorities and women face difficulties in a wide range of industries, the five studies to be released on Tuesday by the Federal Communications Commission conclude that barriers imposed by both the government and the marketplace have taken a particular toll in telecommunications and the so-called new economy companies, where the lifeblood is the government license to use a part of the airways.

"These studies confirm that small minority and women-owned businesses are encountering significant difficulties in participating in the new economy," said William E. Kennard, chairman of the F.C.C. "With consolidation in the past few years it's clear that it's become harder for any business that is small to participate as an owner of infrastructure, whether it is cable systems or whether it is phones or broadcasting. But this is still a vitally important part of our economy, and we have to make sure that we are creating opportunity for small minority- and women-owned businesses."

In his more than seven years as the agency's general counsel and then its chairman, Mr. Kennard, the first African-American to

head the F.C.C., has struggled against a hostile Republican Congress and a lukewarm administration in trying to find new opportunities for minorities and women. An earlier study he commissioned showed minority broadcasters often cannot command the same advertising revenues as other broadcasters."

Mr. Kennard said he had hoped that the studies would provide a blue-print for a Gore administration to take new steps on behalf of small companies. He also acknowledged that the prospect of a Bush administration may significantly diminish the impact of the studies on future policy makers.

Regulators and courts have long described the spectrum as a public trust that needs to be managed in the best interests of the public, but the studies conclude that minorities and women have had a difficult time for the last half-century and that it still remains especially difficult for them to win licenses and get financing for their ventures on a footing comparable to their rivals.

In one study, entitled "Whose Spectrum Is It Anyway?" researchers found that the 1996 law, following other adverse trends in the courts and in Congress, had been particularly hard on those small companies.

In 1995 Congress eliminated a tax program intended to encourage investment in small, minority- and women-owned telecommunication companies. Around the same time, the United States Supreme Court and other federal courts began to hand down a series of decisions that made it significantly more difficult for the federal government to carry out affirmative action programs and take steps to assist minority businesses.

The studies concluded that in the area of broadcasting, ownership can have a deep impact on programming, and that the lack of diversity among owners could lead to less diverse kinds of programs. Minority-owned radio stations, for example, were far more likely to choose a programming format that appeals particularly to a minority audience, and were more likely to have greater racial diversity of on-air talent.

The studies show that minority- and women-owned companies have had a more difficult time getting financing for starting new ventures and expanding, and when they have received financing, it is often on less favorable terms than comparable businesses run by white men.

The F.C.C. had earlier encouraged small businesses by permitting them to bid in license auctions and make payments in installments. But after some businesses defaulted on those loans, the rules were changed.

On Tuesday the agency will begin what many expect will be the largest auction in its history, for licenses to operate mobile telephones, and all winners will have to make their payments upfront.

The studies also show that officials at the F.C.C. have been inconsistent in their application of equal opportunity guidelines, and that the agency "often failed in its role of public trustee of the broadcast and wireless spectrum by not properly taking into account the effect of its programs on small, minority- and women-owned businesses."

The studies, which are expected to be made public by the F.C.C. on Tuesday, were conducted by KPMG; Ernst & Young; the Ivy Planning Group, a consulting group based in Rockville, Md.; and researchers from Santa Clara University and the University of Washington.

IN HONOR OF JOHN T. DAUGHERTY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. HOYER. Mr. Speaker, I rise today in honor of John T. Daugherty, a distinguished and extraordinary member of the Southern Maryland community and a personal friend for many years. His contributions to his community of Lexington Park and the Southern Maryland area will continue to pay dividends and be fondly remembered for decades to come. Mr. John T. Daugherty was best known as Jack throughout Southern Maryland. He was born January 18, 1919 in Bath County, Kentucky. He went on to attend school at the University of North Carolina, Chapel Hill; Center College in Danville, Kentucky; and Morehead State Teachers College. He later was trained to fly Navy airplanes in Pensacola, Florida. He joined the Marine Corps and saw service in the South Pacific during World War II, where his courageous prowess earned him the Distinguished Flying Cross for a bombing raid on Rabaul Harbor. He went on to become a pioneer and product of the Patuxent River Naval Air Station Test Pilot School even before the first official graduating class was formed. After leaving active duty, he continued to proudly serve his country as a Lieutenant Colonel in the Marine Corps Reserves. Jack Daugherty remained in St. Mary's County to begin life as a civilian and his entrepreneurial instincts led him to create many small businesses in Southern Maryland. His early business pursuits were not based on personal gain, rather, he created many new ventures to meet the needs of a fledgling and fast growing upstart Navy town. He is perhaps best known for founding Citizen's Bank, later known as Maryland Bank and Trust. His efforts to bring desperately needed capital resources to the Lexington Park community were critical in building a town to support the growing Navy base at Patuxent. Jack Daugherty became president of this bank and continued to run the local community bank for 35 years. He used the bank to literally help build a town that today is home to one of America's largest and most technologically advanced military bases. His unconventional loan practices enabled hundreds of entrepreneurs to go into business. Today, many small business owners, including a large number of women and minority owned businesses, will tell you how Mr. Daugherty helped them get started in business. Typically, they will tell you, their loans were approved without using any collateral and written on the back of an envelope.

Indicative of Mr. Daugherty's great sense of community spirit and among his greatest contributions to the community, was an early venture to create a local radio station for St. Mary's County. Recognizing the need to create a sense of community, he began and operated the WPTX AM Radio station in Lexington Park, where he and other local business owners took turns announcing local news events, weather, and other items of local interest. Mr. Daugherty himself was an announcer on the station, covering local news and political events. That station has continually served the local community and today is operated as 97.7 WMDM-FM under the ownership of Mr. Ron Walton. Jack Daugherty was also a

founder of the St. Mary's County Chamber of Commerce, a member of the Historic St. Mary's City Commission and the founder of the Lexington Park Little League. He was on the Board of Trustees at St. Mary's College of Maryland and is fondly remembered for providing scholarships to many disadvantaged area students.

Mr. Speaker, Jack Daugherty was a unique individual who made contributions to his community that will last for generations to come. He was a giant among his peers whose leadership provided countless opportunities for thousands of individuals, reaching far beyond his local community. His rugged independence and fierce commitment to his community should distinguish him forever for the important role he has had in attracting the very significant U.S. Navy investment at Patuxent River Naval Air Station we have today. Repeatedly, he was a critical force in mobilizing the necessary resources to retain and attract federal investments at Pax River. Whenever a threat appeared on the horizon to either Pax River or St. Inigoes, it was Jack Daugherty who mobilized the local community to fight it.

Mr. Speaker, Jack Daugherty's presence will be sorely missed. Right up until his death on August 10, 2000, he played an active role in the Southern Maryland Navy Alliance, providing the same firm and steady leadership to that organization as he continued to support and protect the interests of Southern Maryland and the U.S. Navy. I ask my colleagues to join with me in honoring a great American whose success and love of life will long be remembered in Southern Maryland. Every community in America needs a Jack Daugherty. He knew the importance of community spirit and set the bar high for others to give back to community in which he lived. I ask my colleagues to join with me in paying tribute to John T. Daugherty, a veteran, a business and community leader and great family man, for his lifetime of service to his family, his neighbors and to his country.

My best wishes go out to his wife Kay, son Tom and daughter Katie who best knew him as an upstanding and decent husband, father, and community leader. I ask that you join me in honoring John T. Daugherty's strength and devotion to a community that will continue to reap the benefits of his work and dedication. His legacy will never be forgotten.

THE OPERATION OF AIMEE'S LAW

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. SALMON. Mr. Speaker, after years of work, and several Congressional Hearings, Aimee's Law passed both the House and Senate overwhelmingly, and was signed into law by President Bill Clinton on October 28, 2000. The bill will take effect on January 1, 2002, giving us more than a year to be sure it is implemented properly. It is essential that we do so, because too many lives are shattered each year at the hands of dangerous predators.

Using a mechanism that is workable, constitutional and respectful of states' rights, Aimee's Law will help to reduce repeat attacks perpetrated by released murderers, rapists,

and child molesters that account for over 14,000 crimes of this nature each year.

These crimes share one characteristic: they are all preventable. If we simply keep murderers, rapists, and child molesters behind bars or, at a minimum, properly monitor them upon release, thousands of serious crimes would be prevented. Aimee Willard, the young woman for whom this legislation is named, died with every pint of blood drained from her body because Nevada recklessly released a murderer who reoffended in Pennsylvania. Aimee was a most extraordinary young woman; loved by her family and friends, an All American Athlete, an individual some of her peers believed could one day serve in the United States Congress, or as a teacher to our children. If this law is diminished in any respect it will be an assault on her memory.

I acknowledge that the mechanism used in Aimee's Law is novel—and is now, in some respects, more complex than originally drafted, due to revisions we made at the request of the States—but it is certainly workable. Of course, if those who had opposed Aimee's Law had instead joined us in working for the most straight-forward solution to the crisis we face with dangerous recidivists, application of the legislation would be even easier. If opponents now point to the provisions that were added to address their concerns, and argue that those provisions now make the law unworkable, then Congress should remove the safe-harbor provisions and hold states fully accountable for their errors in releasing murderers and sexual predators, the way the bill was originally introduced.

Let's address the concerns of the bill's critics in further detail. The small band of congressional opponents to the bill, and the state advocacy groups that opposed it, lodge three main arguments against the legislation: (1) the bill is unworkable; (2) the bill runs afoul of the Constitution; and (3) the bill would pressure states to ratchet up penalties on murder, rape and child molestation offenses.

I will address the last charge first. Shouldn't we celebrate a law that incentivizes states to increase penalties for violent crimes? We have in the past. The truth in sentencing reforms of the 1980s and early 1990s are at least partially responsible for the dip in violent crime we have seen over the past several years. Keeping violent criminals behind bars reduces crime.

The trend of reduced crime is welcome, but more, much more, needs to be done. According to the FBI's Uniform Crime Report released last month, one violent crime occurs every 22 seconds. A forcible rape occurs every 6 minutes and a murder every 34 minutes. The success enjoyed in reducing crime over the past several years does make further reductions challenging. Targeting recidivist crime among the most dangerous criminals—murderers and rapists—as well as pedophiles, who are most likely to reoffend if given the opportunity, is smart public policy. The time served for these crimes is outrageously low. The average time served by a rapist released from state prison is just 5½ years. For molesting a child it is about 4 years. And for homicide it is 8 years. My constituents and I consider those figures to be shockingly low, and I have no doubt most Americans would agree.

Reasonable people can quibble about the technical operation of the law, but to argue that one of Aimee's Law defects is that it will

encourage states to increase these murderously low sentences misses the point—this is one of the central purposes of the legislation. The following comments were offered by opponents of Aimee's Law, and while I do not agree with everything contained within them, they deserve repetition here because they point to the value of the law. It will ratchet up sentences.

Senator JOE BIDEN: "As a practical matter, this bill can only promote a 'race to the top' as States feel compelled to ratchet up their sentences. . . ."

Senator RUSS FEINGOLD: "Here, of course, we are not preparing to pass a new federal murder, rape, or sexual offense statute. But we might as well do that because in Aimee's Law we are forcing the states through the use of federal law enforcement assistance funds to increase their penalties for these offenses. . . . Basically, this policy could force states to either enact the death penalty or never release a person convicted of murder on parole."

Senator FRED THOMPSON: "If you remember what I said a while ago, the name of the game is for the States to keep ratcheting up their incarceration time so they are within the national average. . . . The safest thing for it to do would be to give life sentences without parole. . . . For some people, I think that is a good idea anyway."

Representative JERROLD NADLER: "Here we are telling them, you had better keep ratcheting up your terms of imprisonment, no matter what you think is right, to match everybody else's, lest we charge you."

It's not as if murderers, rapists and child molesters become Boy Scouts after their release from prison. The recidivism rates for sex offenders are especially high. As the best experts who have studied this issue will tell you, "Once a molester, always a molester." The Department of Justice found in 1997 that, within just three years of release from prison, an estimated 52 percent of discharged rapists and 48 percent of other sexual offenders were rearrested for a new crime, often another sex offense.

Of course, states have the right to release convicted murderers, rapists and child molesters into their cities and neighborhoods. However, the question is, who should pay when one of these violent predators commits another murder, rape or sex offense in a different state? Should Pennsylvania, which has already paid a huge human cost with the loss of Aimee Willard, have to pay for the prosecution and incarceration of her killer, Arthur Bomar? Or should Nevada, which knew that Bomar was a vicious killer but decided to release him anyway, pay for the costs wrongfully inflicted on the state of Pennsylvania? The answer is obvious.

And it is not merely a question of fairness. Aimee's Law will also lead to more sensible decisions by states on which criminals to release, and which to keep behind bars. Previously, when a state released a murderer or sexual predator, it actually received at least a perceived economic benefit in the form of reduced incarceration costs. Moreover, since these criminals sometimes left the state, the state was rid of its problem. By reducing this perverse financial incentive, it may focus the decision purely where it should be, on the community safety issue: will release of this prisoner pose a danger to the community?

As to the concern that the bill is unworkable, I ask the critics this: what effort did you make to smooth out the edges you claim are rough? If half the effort spent trying to derail this legislation had been spent on perfecting the bill, I have no doubt a cleaner product would have emerged. But, the perfect should never be the enemy of the good. The bodies continue to pile up and some of the states' groups—the National Governors Association, the National Conference of State Legislatures, and the Council of State Governments—aggressively tried to kill a bill that will protect their citizens. But they failed, in part, because it is clear to the Congress that the states need to do more to protect the public from second attacks committed by convicted murderers, rapists and child molesters.

I will now address the operational and constitutional concerns raised about the bill. I will first begin with the premise behind Aimee's Law.

Aimee's Law targets an extremely narrow category of crimes: murder, rape, and child molestation. We're not targeting jaywalkers, shoplifters, or even drug dealers. We're targeting the worst of the worst. Any opponent of this bill must answer the following: "Should a pedophile have a second chance to live in your neighborhood?" Or, as so often is the case, a third or fourth chance, to live in your constituent's neighborhood? How about a rapist? Should they be given another chance to violate women? Do you believe that a murderer living next door would enhance the quality of your life or improve the safety of your community?

The definitions attached to murder, rape and dangerous sexual offenses could not be clearer. For murder and rape we use the definition of these crimes found in the FBI's Uniform Crime Report. All 50 states are familiar and comfortable with these definitions. Out of recognition that states have varying laws when it comes to child molestation offenses, Aimee's Law adopts the definition for dangerous sexual offense found in chapter 109A of title 18. Given that the U.S. Department of Justice is tasked with administering the law, using federal definitions for the crimes covered is sensible.

The next issue is when Aimee's Law applies. It was my intent, and is my interpretation, that the law applies to all second convictions that occur after the law takes effect on January 1, 2002. If this is judged not the case I would support the broadest possible reach that respects constitutional boundaries. Applying the law to all second convictions has at least four salutary effects: (1) From this day forward, states will begin the process of reforming their systems to end the revolving door for these most heinous crimes; (2) States will be encouraged to adopt Stephanie's Law, which has been constitutionally upheld as a way for states to keep dangerous sexual predators off of the streets after their prison sentences have expired; (3) States will find it useful to tighten dangerous loopholes in the Interstate Compact for Parole and Probation; for example, including changes consistent with the proposal submitted by the National Institute of Corrections; and (4) States will have a powerful incentive to work with the Department of Justice to better account for and monitor the thousands of murderers and sex predators already roaming the streets. America has been lax for far too long. Delay in implementing the law fully will cost additional lives.

This is how Senate Judiciary Chairman ORRIN HATCH explained the operation of Aimee's Law during Floor debate:

Aimee's Law operates as follows: In cases in which a State convicts a person of murder, rape, or a dangerous sexual offense, and that person has a prior conviction for any one of those offenses in a designated State, the designated State must pay, from Federal law enforcement assistance funds, the incarceration and prosecution cost of the other State. In such cases, the Attorney General would transfer the Federal law enforcement funds from the designated State to the subsequent State.

A State is a designated State and is subject to penalty under Aimee's Law if (1) the average term of imprisonment imposed by the State on persons convicted of the offense for which that person was convicted is less than the average term of imprisonment imposed for that offense in all States; or (2) that person had served less than 85 percent of the prison term to which he was sentenced for the prior offense.

Senator HATCH also offered this observation: "The purpose of Aimee's Law is to encourage States to keep murderers, rapists, and child molesters incarcerated for long prison terms. * * * This legislation withholds Federal funds from certain States that fail to incarcerate criminals convicted of murder, rape, and dangerous sexual offenses for adequate prison terms * * *. In this respect, Aimee's law is similar to the Violent-Offender-and-Truth-in-Sentencing Programs and the Sentencing Reform Act of 1984." Senator HATCH adds that the effect of truth-in-sentencing and sentencing reform is a more than 12 percent increase in the average time served by violent criminals in state prisons. That, I submit, is a positive development.

All that is needed in determining the expenses involved in a fund transfer is a handheld calculator. The calculations required to determine if a state is exempt from the fund transfer in Aimee's Law is more complicated, but certainly within the grasp of the professionals at the Department of Justice.

The state organizations' claim that the safe harbor provision makes Aimee's Law unworkable rings hollow given their intense lobbying for such protection. The FBI already collects detailed statistics on rape and murder, which make a national average easy to identify. As for dangerous sex offenses against children, this will take additional work, but it's worth it to protect kids from the lifetime devastation caused by molestation. I suspect that nearly all Americans would desire annual reporting of statistics that measure where their state ranks in comparison with other states for the specific crimes covered in Aimee's Law.

I expect that DOJ will annually compile a national average for the crimes of murder, rape and child molestation. DOJ will also compile the average term of imprisonment for those crimes in each state. If a state is above the national average for a particular crime it will be exempt in cases in which the released offender served 85 percent of his sentence. The numbers that DOJ produces for any given year will be the number used for all convictions that occur during that year. Remember, this section was added at the insistence of the states to protect states that are doing at least an average job of protecting their citizens and neighboring citizens. The original bill contained no such language. There is no need or desire on the part of the author of Aimee's Law to

make this section any more complicated than necessary.

As an example, let's say Offender 1 commits a covered offense in state A in 1999 and then is released in 2003 and commits a covered offense in state B in 2005 and is convicted in that same year. DOJ should authorize a fund transfer if State A's term of imprisonment for the covered offense was less than the national average, using the latest sentencing data (probably from 2004). I do not expect DOJ to search back to 1999 to determine whether state A was behind the national average. Again, the national average is simply a benchmark to provide some relief to states, that do at least an average job of keeping certain violent offenders behind bars. Even if this state is average or better on sentences imposed, Aimee's Law would apply in this case if the criminal had failed to serve 85 percent of his sentence for his prior offense in 1999.

I'm more interested in murderers, rapists and child molesters serving appropriately long sentences than serving any particular percentage of their term. Most can agree, however, that a murderer, rapist, or child molester released before 85 percent of the expiration of a (minimum) sentence has been prematurely released. Most probably would agree that this would be the case for those released after 85 percent of their maximum.

As to payment schedule, the Attorney General and the state affected have great latitude in arranging the transfer. Any federal crime funds (excluding funds designated to victims) can be used so long as the funds have not already been distributed. There is also flexibility as to the term of the payment.

As has been the case for administering the truth-in-sentencing grant program and other DOJ programs, the agency will presumably need to issue guidelines. I am confident that the U.S. Department of Justice can implement the law in a manner consistent with congressional intent that is both workable and fair.

Unable to defeat Aimee's Law in the court of public opinion or in Congress, some critics are girding for a constitutional challenge. Again, I would implore them not to spend their time on an effort, that if successful, would be welcomed by the child molester community. In any event, a careful review of Supreme Court decisions suggest that a challenge would be futile.

Some critics contend that Aimee's Law could run afoul of the spending clause because it coerces states, is not unambiguous and could induce the states to take action that is unconstitutional. The suggestion has also been raised that there could be a violation of the ex post facto clause.

In upholding the spending power of Congress in *South Dakota v. Dole*, the Supreme Court did, indeed, place limits on this power: (1) the requirement must be related to the purpose of the funding; (2) the condition can pressure but not coerce; (3) the condition cannot induce unconstitutional behavior; and (4) the condition must be unambiguous. A careful review exonerates Aimee's Law of all raised constitutional issues.

Aimee's Law is clearly related to the source of funding, dollars to fight crime. No one even contests this point.

While Aimee's Law certainly provides encouragement to states to increase sentences

and improve post-incarceration policies, it does not rise to the level of coercion. Some opponents of the measure suggest that Aimee's Law does not create a large enough penalty to encourage states to take this action, since roughly seven out of eight repeat offenses occur in the same state as the first offense. I do believe that the transfer mechanism will result in increased public safety efforts on the part of the states, but the bill does so in a fair and reasonable manner.

Aimee's Law does not pressure states to adopt unconditional means to protect public safety, only reasonable ones. There are several constitutional steps states can take to reduce their potential liability under Aimee's Law. The law will provide a powerful incentive for states to better communicate with each other concerning each other's convicts. It should also provide increased incentive for the states to amend the Interstate Compact to give states the right to reject dangerous out-of-state offenders. States can also do a better job of monitoring their own released prisoners. They may also civilly commit certain offenders. I have never suggested nor would I condone a state that took action that exceeded constitutional boundaries.

Finally, Aimee's Law unambiguously imposes a condition on Federal money that passes constitutional muster. The language only affects federal money not yet distributed. The expectations are clear: A state will lose future federal crime dollars if it fails to protect other states from certain released criminals. The mechanism Aimee's Law uses may be novel. But, it is not constitutionally prohibited. The leading Supreme Court case on this matter, *Pennhurst State School and Hospital v. Halderman*, 451 U.S. 1 (1981) states: "[L]egislation enacted pursuant to the spending power is much in the nature of a contract: in return for federal funds, the States agree to comply with federally imposed conditions. The legitimacy of Congress' power to legislate under the spending power thus rests on whether the State voluntarily and knowingly accepts the terms of the 'contract.'" Again, Aimee's Law only involves federal crime funds not yet distributed.

Ex post facto concerns are similarly misplaced, since the clause applies to laws criminalizing behavior after that behavior has already taken place. The Supreme Court recently ruled in *Johnson v. United States*, 120 S. Ct. 1795 (2000) that for a law to have problems with this clause it must apply to conduct completed before its enactment and raise the penalty from whatever the law provided when he acted. Aimee's Law will have no effect on any particular criminal sentence already meted out. Aimee's Law does create an incentive for states to properly monitor those out of prison still under its jurisdiction. The bill should also spur states to develop laws similar to Stephanie's Law that provide for the post-incarceration civil confinement of certain dangerous sexual predators. Additionally, Aimee's Law should encourage states to increase penalties for crimes not yet committed, which is proper, constitutional, and necessary given the outrageously low sentences currently served by the average murderer, rapist, and child molester.

In conclusion, Aimee's Law will make America safer. While the safe harbor provision—

added at the insistence of the states—has added complexity to the legislation, Aimee's Law is still a workable, constitutional effort to protect innocent citizens from a completely preventable type of interstate crime. The safe harbor was added as a way to offer relief to states with an above average criminal sanctioning system. If their is concern about its applicability, it could easily be removed. But perhaps we should watch this law in action before we begin tinkering with it. And for those who would seek to undermine, weaken, or repeal it, be warned that victims from around the country, the National Fraternal Order of Police, and the supermajorities in the House and Senate who support the bill stand ready to expose and block any effort to undo the benefits of Aimee's Law.

ENVIRONMENTAL COMPLIANCE

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WALDEN of Oregon. Mr. Speaker, I would like to share with my colleagues some information about a new approach being explored to transition environmental compliance from what is widely perceived as an adversarial process to a cooperative, results-oriented effort between companies and state regulators.

So far, fourteen states have formed a Multi-State Working Group (MSWG), whose focus is to develop regulatory incentives that get companies to take a more proactive, systematic approach in managing their environmental impacts.

Oregon was one of the first states to implement an incentive-based environmental regulation program, which is uniquely tied to its permitting process. Through its Green Permits Program, Oregon Department of Environmental Quality will be awarding one of its first incentive based permits to a Louisiana Pacific (LP) building products plant in Hines, Oregon.

A key component of the Green Permits program is the adoption of an environmental management system that has enabled LP's facility in Hines to go the extra mile in exceeding the operating standards set by the state of Oregon. The Hines' plant has kept their air emissions to only 10 percent of the total annual levels allowed by its Oregon Department of Environmental Quality air permit and proactively works with a Community Advisory Council in addressing community concerns. In addition, more than \$90,000 is generated each year through the plant's planer shavings recycling effort. These improvements have led to better cooperation with Oregon Department of Environmental Quality and the U.S. Environmental Protection Agency.

The Green Permits Program has several benefits including addressing a wider range of potential environmental impacts on a regular basis and increasing communication and involvement between environmental agencies, communities and companies. Also, companies can improve credibility with stakeholders in addition to potential cost saving and operational improvements.

MIT AND CALTECH JOIN FORCES
TO LAUNCH ELECTION TECH-
NOLOGY INITIATIVE

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. DELAHUNT. Mr. Speaker, as the dust settles over the presidential election of 2000, I hope we will treat our recent experience as an opportunity to adopt long overdue reforms in the way we run our Federal elections. I hope we will enlist our best minds in the effort to develop better systems and procedures that will restore public confidence in the accuracy and integrity of the electoral process.

In this regard, I want to call to the attention of my colleagues an initiative launched just yesterday by the Massachusetts Institute of Technology and Caltech, to develop a new voting machine that will be easy to use, reliable, secure and affordable.

With an initial grant from the Carnegie Corporation, the venture will bring together a team of leading experts in technology, design, and political science to develop technological solutions to the problems that have occurred not only in Florida but throughout the country.

This is a very promising development, Mr. Speaker, and I hope we will do all we can to foster such private sector initiatives. But we must also be sure that State and local election officials have the wherewithal to take advantage of new technologies. That is why when the 107th Congress convenes in January, I will join with Congressman Graham and a number of our colleagues in introducing bipartisan legislation to ensure the accuracy, integrity, and efficiency of future Federal elections.

The "Federal Election Standards Act" would establish a National Advisory Commission on Federal Election Standards to study the accuracy, integrity, and efficiency of Federal election procedures and develop standards of best practice for the conduct of Federal elections. The commission would have one year to complete its work.

Once the commission has issued its report, the bill would authorize Federal grants and technical assistance to States that wish to adopt measures for reform of their election procedures in a manner consistent with the standards.

The Act would not mandate changes in State practices, nor would it federalize election procedures. Rather, it would encourage State election officials to upgrade and modernize their election systems by establishing benchmarks for the conduct of Federal elections and providing the States with the resources needed to meet them.

Mr. Speaker, I hope that the next congress will take prompt action on this legislation, so that the most advanced nation on earth will have an electoral system that is up to the task.

[MIT News Office]

MIT, CALTECH JOIN FORCES TO DEVELOP
RELIABLE, UNIFORM US VOTING MACHINE
(By Sarah H. Wright)

CAMBRIDGE, MA, DEC. 14.—The presidents of MIT and Caltech have announced a collaborative project to develop an easy-to-use, reliable, affordable and secure United States voting machine that will prevent a recurrence of the problems that threatened the

2000 presidential election. The announcement was made in a joint video news conferences at MIT and Caltech on Thursday. "It is embarrassing to America when technology fails and puts democracy to such a test as it did this month," said Caltech President David Baltimore, who opened the hour-long live teleconference in Pasadena, California. "Academic institutions have a responsibility to help repair the voting process so that we don't see anything like this again. This project is intended to protect the system from the problems we've seen in the last election," Dr. Baltimore said.

MIT President Charles M. Vest, speaking from Cambridge, echoed Dr. Baltimore's concern for the security and credibility of the voting process. "We must find a solution. Each of us must be confident that his or her vote has been reliably recorded and counted. A country that has put a man on the moon and an ATM machine on every corner has no excuse," said Dr. Vest. "America needs a uniform balloting procedure. This has become painfully obvious in the current national election, but the issue is deeper and broader than one series of events," said Vest and Baltimore in a Dec. 12 letter to President Vartan Gregorian of Carnegie Corporation of New York.

Gregorian said, "I want to congratulate the two presidents of our nation's most distinguished universities for their leadership in this welcome and timely initiative on behalf of our election system. Voting is the fundamental safeguard of our democracy and we have the technological power to ensure that every person's vote does count. MIT and Caltech have assembled a team of America's top technology and political science scholars to deal with an issue no voter wants ignored. This research is certain to ensure that America's voting process is strengthened." Gregorian said he will recommend the Carnegie Corporation board fund the \$250,000 initial phase of the research.

The grant will be used by a team of two professors from each university who are experts in technology, design and political science. The four members of the team are Massachusetts Institute of Technology Professors Stephen Ansolabehere of political science and Nicholas Negroponte, chairman of the MIT Media Lab; and Caltech Professors Thomas Palfrey of political science and economics and Jehoshua Bruck of computation and neural systems and electrical engineering.

LESSEN CONFUSION

Professor Ansolabehere, speaking at the teleconference, said, "We are going to consider voting technologies from the paper ballots of the nineteenth century to the latest. First, we'll look, literally, at what people do in the voting booth. There, our goal is to lower voter confusion. "Second, we'll look at how votes are counted, comparing the precinct level to a central counting agency. We will look at the strengths and weaknesses of voting technologies, find the greatest weakness and work from there. Our goal is to find the most reliable among existing technologies." The first phase of the joint project—surveying existing technologies and setting up criteria—would be complete in about six months, Professor Ansolabehere added.

Professor Palfrey of Caltech noted there were "issues that didn't hit the press in Florida but that are critical, including comparing the cost of existing technologies to the cost of standardization and modernization, which could run into several billions of dollars. "But compare that one-time cost to the \$300 billion annual defense budget. It's a small price to pay for modernizing democracy," he said. Professor Palfrey also noted other issues for the MIT-Caltech team to ex-

plore, such as the impact of the current system of election administration, which is "highly decentralized and fragmented," and the role of absentee voting, with its implied concerns of security, liability, privacy, maintenance and software development.

FEEDBACK

Professor Negroponte, chairman of the MIT Media Lab, spoke to his bi-coastal colleagues and the media about the actual interface between people and any voting machine. "Whatever is invented will include some interface with machines, whether we vote by computer, paper or in a voting booth. The Media Lab intends to make that interface as easy as possible," he said.

Professor Negroponte outlined the goals of the joint project from the perspective of design and feedback by comparing the act of voting with the act of pushing a button to summon an elevator. "Right now, there's no feedback at all in voting. You push the button. Nothing happens. It's like when you push the elevator button and nothing happens: you don't know if the elevator is broken or the light is broken. It would be good to have some degree of feedback in voting. For example, you might get some feedback saying, 'you voted for x,'" he noted.

ATM THE MODEL

The MIT-Caltech faculty team took a generally lighthearted view of the alleged challenges to the public of mastering new voting technology, despite months of media attention to voter confusion over the various forms of ballots and punch-card machines that didn't punch. "Beware of the assumption that newer technology is more complicated. The trend is the opposite," said Dr. Vest. "Most people have been able to figure out ATMS. That's our model," remarked Dr. Baltimore.

Vest and Baltimore said the new technology "should minimize the possibility of confusion about how to vote, and offer clear verification of what vote is to be recorded. It should decrease to near zero the probability of miscounting votes... The voting technology should be tamper-resistant and should minimize the prospect of manipulation and fraud." The two university presidents proposed that their institutions give the project high priority for two major reasons:

"First, the technologies in wide use today are unacceptably unreliable. This manifests itself in at least three forms: undercounts (failure to correctly record a choice of candidate), overcounts (voting for two candidates), and missed ballots (machine failure or feeding error). Punch cards and optically scanned ballots are two of the most widely used technologies, and both suffer unacceptably high error rates in all three categories. For example, in the recent Florida election, optical scanning technology had an undercount rate of approximately 3 out of 1,000, and the punch card undercount rate was approximately 15 out of 1,000. Including the other two sources of errors, the overall ballot failure rate with machine counting was about three times this.

"Second, some of the most common types of machinery date from the late nineteenth century and have become obsolete. Most notably, many models of lever machines are no longer manufactured, and although spare parts are difficult to obtain, they are still widely used (accounting for roughly 15 percent of all ballots cast).

REPLACING LEVER MACHINES

"States and municipalities using lever machines will have to replace them in the near future, and the two most common alternatives are punch cards and optical scanning devices. Ironically, many localities in Massachusetts have recently opted for lever machines over punch card ballots because of

problems with punch cards registering preferences."

Asked to comment on the project as scientists, both university presidents noted the convergence of history and technology as being especially promising for the development of a new voting machine. "This is a project we could have tackled any time, but the truly bizarre circumstances of the recent presidential election put it on the front burner. We are also at a technological point where a solution is highly likely," said Dr. Vest. "There are times when events overtake us. This is a good time and a necessary time to be doing this," said Dr. Baltimore.

The Massachusetts Institute of Technology and the California Institute of Technology have a relationship dating back to 1920 when MIT scientists' helped shape the chemistry and physics departments of the new California Institute of Technology. Dr. Baltimore, a 1975 Nobel laureate, served on the MIT faculty from 1968-90 and 1994-1997, when he was appointed president of Caltech.

THE INTRODUCTION OF THE COMMISSION ON ELECTIONS PROCEDURES ACT

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. HOLT. Mr. Speaker, even at the dawn of the twenty-first century, there are many states and localities that conduct their elections in ways that are outdated, slow, unreliable, inaccurate, and inaccessible to many.

One need not look further than the turmoil surrounding the 2000 Presidential election to see the disparities of our electoral process. For instance, while some counties in Florida have modern voting machines that leave little room for error, others use dated punch-card ballots, that can lead to the now-famous hanging and dimpled chads.

That is why I rise to introduce the "Commission on Elections Procedures Act," which establishes a bipartisan commission to study the Federal, State, and local electoral process and to make recommendations on the implementation of standardized voting procedures.

The long national nightmare of the 2000 Presidential vote counting has taught us, Republicans and Democrats alike, that we need to improve the instruments of voting and the means of electing our office holders. Even the Supreme Court Justices spoke of the need for uniform voting procedures.

Let me be clear: unlike some legislation that has been introduced in this regard, this is not a federal mandate of election standards. This bill simply calls for a study to determine if standardization is necessary and to recommend what changes can be made to improve our electoral process.

I understand that a rural state like North Dakota has voting problems that are different than those faced by a more urban state like New Jersey. Urban and rural areas have unique difficulties with voting. My legislation recognizes these differences and will work to find a common solution. While all areas could face problems of the cost of transition to a new system, I am confident that money can be found to assist the states in this area.

By establishing a commission to study the issue and to review the unique circumstances

of each state, we have a chance to find a solution that will work for everyone.

I urge my colleagues to join me in supporting this important bill.

RECOGNIZING INTERNATIONAL DAY OF THE VOLUNTEER

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Ms. PELOSI. Mr. Speaker, on December 5th, I spoke to volunteers and staff at the Peace Corps headquarters here in Washington, D.C. to mark the International Day of the Volunteer. In 1985, the United Nations General Assembly declared December 5th as "International Volunteer Day" to honor the accomplishments of volunteers and volunteer organizations. It is a day to recognize volunteers, promote the concept of volunteerism, and provide an opportunity for volunteer organizations to come together for joint planning, service, and other activities.

Today I'd like to salute the 161,000 Americans who have served as volunteers in the Peace Corps since 1961. For 40 years, Peace Corps Volunteers have worked in over 130 countries to answer President John F. Kennedy's call to service: "Ask not what your country can do for you, ask what you can do for your country, and to the citizens of the world, ask not what America can do for you, but what we can do working together for the freedom of mankind." Volunteers have answered his call and helped pave the way for progress for countless individuals who want to build a better life for themselves, their children, and their communities.

This year, Peace Corps Volunteers, Trainees, and Peace Corps staff members will be participating in activities with other local and international volunteer organizations in their countries to mark this day, which takes on special significance this year as the launch for the United Nations International Year of Volunteers 2001—a world-wide celebration to recognize, support, and promote volunteering. In Lesotho, a Peace Corps volunteer will speak at a ceremony attended by members of the government. In Tanzania, there will be a special swearing-in ceremony of new volunteers. In Moldova, volunteers will raise funds for children's charities. In Washington, Peace Corps staff from headquarters will volunteer at Food and Friends to help deliver meals and groceries to families of people living with HIV/AIDS.

In honor of the International Year of Volunteers 2001, other international volunteer sending organizations such as Australian Volunteers International, Canada World Youth, United Nations Volunteers, and the United Kingdom's Voluntary Services Overseas are joining with the Peace Corps to make a commitment to expand their HIV/AIDS education efforts throughout the world.

Throughout the world, and particularly Africa, HIV/AIDS is having a devastating effect on people of all ages by threatening the future of development and well being of their communities. This year the Peace Corps launched a special initiative to retrain all 2,400 volunteers serving in Africa to become HIV/AIDS prevention educators. In a sign of solidarity and sup-

port, the leaders of Australian Volunteers International, Canada World Youth, United Nations Volunteers and the United Kingdom's Voluntary Services Overseas have joined with the Peace Corps in committing the best and most effective strategies to meet the enormous challenge of halting the spread of HIV/AIDS.

Today, I commend the Peace Corps and other volunteer organizations for being committed to spreading the concept of volunteerism. In honor of International Volunteer Day and the International Year of Volunteers 2001, it is my privilege to salute the important work of the Peace Corps and volunteers throughout the world.

FUNDRAISING SOLICITATIONS BY NONPROFIT ORGANIZATIONS

HON. ROBERT L. EHRLICH, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. EHRLICH. Mr. Speaker, I wish today to announce the introduction of legislation that will help clarify the law regarding fund-raising solicitations by nonprofit organizations. I also want to recognize the efforts of my colleagues, House Government Reform Chairman DAN BURTON and House Postal Service Subcommittee Chairman JOHN MCHUGH, for their leadership on postal service issues.

Mr. Speaker, as you may know, Congress recognized the many important and worthwhile activities of nonprofits by establishing a nonprofit mail rate for charities, churches, educational, advocacy, and other nonprofit organizations. These are enumerated in the Postal Reorganization Act of 1970. One of Congress' objectives was to make it more affordable for nonprofits to solicit donations to fund their activities.

For a mail piece to be eligible for the lower nonprofit rate, Congress prescribed two requirements: first, the organization or mailer must be qualified to mail at the nonprofit rate; and second, the qualified organization must own the mail piece.

Over the last several years, the United States Postal Service, which has made great strides under Postmasters Runyon and Henderson, has increasingly applied the statutory standard of "ownership" in a way that may have a chilling effect on the use of nonprofit mail rates to solicit donations for charity, education, and advocacy.

The purpose of the bill I am introducing today is to clarify ambiguities existing in both law and Postal Service regulations with respect to fundraising. The bill clarifies the law so the Postal Service should not read the statutory "ownership" test so literally as to disqualify solicitation mail sent by otherwise eligible nonprofit organizations that negotiate a risk-sharing agreement with respect to their solicitation mail.

In my view, it is imperative that otherwise qualified nonprofit organizations be able to solicit donations at the lowest possible cost. When nonprofits conduct activities that further the purposes enumerated in the statute, for example to provide "safety net" social services, it eases the burden on government and taxpayers.

During a time in which Congress is attempting to allow taxpayers to keep more of their

hard earned money, it would be advantageous for nonprofits to solicit individuals and families, who thanks to tax relief and their own individual initiative may have an extra few dollars to send to their favorite charity. Likewise, this Republican-led Congress is asking nonprofits to provide services the government has traditionally been ineffective or inefficient in providing.

Given this purpose, it would then be irrational for Congress to limit use of the nonprofit mail rate only to fundraising campaigns that raise donations sufficient to pay all solicitation costs. Otherwise qualified nonprofit organizations need to be able to negotiate the best deal they can for the professional fund-raising services the organization needs—whether it is creative, copywriting, list analysis, mail piece introduction, or data entry.

It is important to point out the bill I am introducing is not a back door to allow unauthorized parties to mail at the nonprofit rate. Current law restricts an otherwise qualified organization from utilizing the nonprofit rate to sell goods or services. There are restrictions whether the item offered for sale is related to the organization's purpose or unrelated. Soliciting a donation, however, is different from promoting the sale of a product or service.

Furthermore, Congress has instituted reforms limiting a nonprofit's use of the special mail rate to sell products and services. The bill I am introducing today does not affect the reforms Alaska Senator TED STEVENS set in motion in the mid-1980s in this regard.

The bill also recognizes the subsequent reform Congress enacted to require sales promoted at the nonprofit rate to be "substantially related" to the purpose for which the nonprofit qualified for the nonprofit rate.

More importantly, this bill does not limit the Postal Service's authority to enforce any other section of the federal postal statutes. Accordingly, the Postal Service retains all of its tools to discover and prosecute fraud—a mission that I strongly support.

The problem addressed by this bill is the Postal Service's present interpretation of the statutory "ownership" standard, which is causing litigation and inconsistent application in solicitation cases.

I am aware of the ongoing discussions within the Postal Service and with nonprofit organizations to resolve this issue. I remain hopeful the Postal Service can correct this issue without Congressional intervention. Hopefully, this bill will encourage all parties to continue their constructive dialogue and, perhaps, prevent further unnecessary litigation.

INTRODUCTION OF H.R. 5655 TO DESIGNATE THE LANAI POST OFFICE, THE GORO HOKAMA POST OFFICE

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mrs. MINK of Hawaii. Mr. Speaker, on December 13, 2000, I introduced H.R. 5655, to designate the Post Office on Lanai as the Goro Hokama Post Office.

Mr. Hokama has dedicated his life to the communities of Lanai and Maui and to the State of Hawaii. Mr. Hokama's leadership

abilities and sense of public duty were apparent even in high school, where he was Student Body President. After serving two years in the Army, he returned to Lanai, and in 1954 he began his public service career which continues till this day. He worked for the Dole Pineapple Company from 1946 to 1991 and was a Member of the ILWU. He was elected by his union to serve on the International Executive Board, Division Executive Board and as a division representative steward, and served on the Membership Service Committee as well as actively participating on many negotiating teams.

Mr. Hokama has been involved in nearly every aspect of community life, everything from political offices to volunteering at Little League games. He served a total of 41 years on the Maui County Council and its predecessor, the Maui Board of Supervisors. He was Chairman of the Maui County Council for 16 years. He served as Chairman or Vice-Chairman of the Committee on the Whole, Finance Committee, Legislative Committee, Planning and Land Use Committee, and Federal, State and County Relations Committee.

He was a member of the Hawaii State Association of Counties (HSAC), serving as President 11 times and Vice President 4 times. In 1999 he was appointed to the State Public Employees Appeals Board.

Mr. Hokama was a Board Member of the Western Interstate Region from 1985 to 1994.

Mr. Hokama has been President of the Lanai School PTA, a Lanai Volunteer Fireman, Past Chairman of the Lanai Advisory to the Planning Commission, and was a past President of the Lanai Little League. In 1987, he won the Hawaii State Little League Baseball Outstanding Volunteer Award.

Mr. Hokama is currently the Chairman of the Maui County Hospital Management Advisory Committee and since 1998 has been Vice Chairman of the Maui Civil Service Commission. He also remains on the Board of Directors of the Maui Economic Opportunities, Inc., the Board of Trustees on both the Lanai Community Hospital and Maui Memorial Hospital, and has been President of the HAPCO. Lanai Federal Credit Union for over 30 years.

Goro Hokama has given himself, his time, and his life to our community and to our State. He is married and has two children, Riki and Joy. The naming of the Lanai Post Office as the Goro Hokama Post Office would be a way to honor and pay tribute to a great public servant.

HONORING WILLY AND THEKLA (STEIN) NORDWIND OF KALAMAZOO, MICHIGAN

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. UPTON. Mr. Speaker, I want to bring to the attention of the House of Representatives a very momentous event which occurred on September 25, 2000 and involved two constituents of mine: Willy and Thekla (Stein) Nordwind of Kalamazoo, Michigan.

After more than five decades of denials, avoidance and legal maneuvering, Germany—for the first time—returned to the rightful heirs, a major work of art previously confiscated by

the Third Reich. On September 25, the Lovis Corinth painting, *Walchensee, Johannisnacht* (The Walchensee on Saint John's Eve) was returned to the heirs of Gustav and Clara Stein Kirstein in a ceremony which took place in the shadow of the Brandenburg Gate in Berlin. Thekla (Stein) Nordwind, niece of the Kirstein's, is the representative of the rightful heirs to whom the art was returned. Both Thekla (Stein) Nordwind and her husband, Willy Nordwind, were in Berlin for the ceremony.

As a result of this event, Ronald S. Lauder, Chairman of the World Jewish Congress' Commission for Art Recovery, stated, "After one year of negotiations, we hope this first step will correct some past injustices and that all works of art belonging to families of Holocaust victims will be returned. We will never forget the millions of lives that were broken or lost. We honor that memory by contributing to closing one of the darkest chapters in 20th-century cultural history."

Thekla (Stein) Nordwind said she accepted the painting, "Not only on behalf of the heirs of her aunt and uncle, but on behalf of so many others who want and need some acknowledgement and recognition of the devastation suffered by their families. Although no one can restore what was truly lost to so many families, the return of this painting is a symbol of the wish of the German Government to atone for the sins of the past."

I commend Willy and Thekla (Stein) Nordwind for their pursuit of justice and their perseverance, and I wish them all the best in the future.

HONORING THE JESUIT HIGH SCHOOL CRUSADERS

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WU. Mr. Speaker, today I pay tribute to three great football teams in my district that have taken their respective state titles in the Oregon 2A, 3A and 4A divisions. I am pleased to represent the athletes, their families and their schools as they make the 2000 high school football season one that we will never forget.

Mr. Speaker, the Jesuit High School Crusaders, located in the heart of my district in Beaverton, were able to pull out a 38-28 win over North Medford High School. Led by Coach Ken Potter, the Crusaders captured their third Division 4A state title. The win came on the backs of Jesuit running back K.J. Jackson who rushed for 159 yards and two touchdowns, quarterback Mike McGrain, defenseman Mike Hass who had a 52 yard interception return and kicker John Dailey.

The Scappoose High School Indians, earned their first Division 3A-state title with an unbeaten season and a 28-14 win over Pleasant Hill. With a sensational defense and a star performance by senior quarter Derek Anderson, Scappoose dominated the division and the championship game. Coach Scan McNabb should be extremely proud of his team's achievement and I am sure that this title will be followed by more in the years to come.

Finally Mr. Speaker, the Amity Warriors, won their third straight division 2A-state title

with a 49–15 win over Regis High School. This is the only time an Oregon public school has managed to win three straight state championships. The Warriors amassed an amazing 583 yards of total offense and held Regis to 67 rushing yards. I want to extend my warm congratulations to Coach Jeff Flood for another successful year.

The players, their families, their coaches, and their communities have all contributed to this fabulous football season. It is an honor and privilege to represent such talented athletes and I with them continued success in academics, sports, and their future lives.

TRIBUTE TO DR. ROBERT C.
PROPHATER

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. BARCIA. Mr. Speaker, I rise today to urge my colleagues to join me in honoring the life and work of Dr. Robert C. Prophater following his half-century service to his fellow man, as a physician, a leader and as a father. During his fifty year career, Dr. Prophater worked to improve the health and well-being of his community both as a doctor and as Vice President of Corporate Medical Affairs for Bay Health Systems in his home town of Bay City, Michigan.

For more than five decades, Dr. Prophater has applied his healing hands to the medical needs of those under his care. His dedication and devotion to the precepts of the Hippocratic oath serve as a model for younger physicians and those considering entering this honorable profession. Indeed, one has to look no farther than Dr. Prophater's family to find an example of his influence in drawing others to the medical profession. His son, Dr. Robert C. Prophater Jr., has followed in his footsteps and is also practicing medicine and saving lives.

During his long and venerable career, Dr. Prophater has taken seriously his duty to share his vast knowledge and experience with his colleagues as an active member of numerous medical boards and medical associations throughout the state of Michigan and the entire Midwest. Of all of these honors, perhaps closest to his heart was his tenure on the Board of Directors of the Bay Medical Center in his home town of Bay City, including a four year term as Board President.

While Dr. Prophater above all deserves our praise for his dedication to medicine, he has also made a tremendously positive impact on Bay City, where he has lived and worked since moving from Ohio in 1958. His civic involvement epitomizes the spirit of public service to which all citizens should aspire, but few ever achieve. During his time serving Bay City, Dr. Prophater volunteered his talents and intellect to the Bay Area Chamber of Commerce, the local advisory board for a professional football league, to the board of a local college and a host of other activities. In the classic American civic tradition, he also served his community in the political arena, including a stint as President of the Bay City Commission. His accolades are many, including the Michigan State Medical Society Community Service Award and induction into the Saginaw

Valley Chapter of Commerce Hall of Fame in 1989.

Mr. Speaker, I earnestly hope my colleagues will join me today in publicly honoring Dr. Robert C. Prophater with the official gratitude of the United States House of Representatives for a lifetime of contributions to the health and welfare of his community, his state and his family.

CONTINUING HEALTH CARE ACTIVITIES OF THE GOVERNMENT REFORM COMMITTEE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. BURTON of Indiana. Mr. Speaker, as we close out the 106th Congress, the Government Reform Committee, which I am proud to serve as Chairman, is continuing several health care oversight activities.

Last year we began a review of this nation's vaccine immunization program. While childhood immunizations have been lauded as one of the greatest advances in public health of the twentieth century, we have learned that there is a paucity of research evaluating the long term safety of these vaccines, particularly as they are currently given to babies, six shots in one day. We also have learned that the epidemic rise in pervasive developmental delays including autism may be unrecognized adverse effect of vaccines. Research conducted in England discovered that autistic children, who also suffer with chronic diarrhea and bowel disorders, have the measles virus in their bowel. We also learned that many of these vaccines are made with the preservative thimerosal. Thimerosal is a derivative of mercury, which is a known neurotoxin. We learned that mercury toxicity has very similar symptoms to autism. Many children who are treated for mercury toxicity show an improvement in the autistic symptoms.

I have asked the Department of Health and Human Services to recall vaccines that contain thimerosal since most of the vaccines on the childhood immunization schedule are now available without thimerosal. However, thus far, they are satisfied with allowing companies to continue to sell these vaccines and putting 8,000 children in the United States at risk for mercury toxicity. As part of this investigation we looked at the advisory committees at the Centers for Disease Control and at the Food and Drug Administration and found that many of the individuals appointed as advisory council members had significant financial ties to the pharmaceutical companies that manufacture the vaccines under consideration. The report of our findings is on the Committee website.

As part of our vaccine investigation, we looked at the Defense Department's Anthrax Vaccine Immunization Program. We found that this well-intentioned program had many problems and I have supported legislation that would halt the program. The existing anthrax vaccine manufactured by Bioport Inc. in Lansing, Michigan was licensed in 1970 to protect against cutaneous exposure to the anthrax. It was not originally licensed to protect against inhalation anthrax. While the label states that less than one percent of individuals who receive the vaccine will suffer an adverse

events, each of the prospective studies that have been done have shown that in excess of twenty percent of those who receive the vaccine suffer an adverse event. Many of these events have proven difficult to treat and are very similar to those seen in Gulf War Syndrome. An investigation conducted by the General Accounting Office indicates that the mandatory AVIP program has resulted in a significant morale and retention problem.

There are some that think that because I have dared to initiate an oversight investigation into vaccines, that I am anti-vaccine. Nothing could be further from the truth. I believe that safe and effective vaccines should be made available to everyone with full declaration of the benefits and the risks involved. I also believe that we need to do more research to determine who will be at risk for adverse events and that just because a vaccine is licensed does not mean it needs to be added to the children's immunization schedule to be mandated at the state level. We saw with the rotashield vaccine investigation that the move to put this vaccine on the schedule took place before the vaccine was even licensed. There is concern we have gone too far in our desire to protect the public at large from infectious diseases by mandating every vaccine that is licensed instead of only those that are truly significant health concerns in this country. There is a tremendous difference between the consequences of polio and those of chicken pox.

Also during the 106th Congress, we have conducted an investigation into the role of complementary and alternative medicine in our health care system. Americans are increasingly turning to therapies such as acupuncture, massage therapy, chiropractics, naturopathy, touch and energy therapies, herbal medicine, traditional healing systems such as Ayurveda, Tibetan Medicine, Traditional Chinese Medicine, Native American medicine, mind-body techniques, aromatherapy, nutrition, and music therapy to improve their health. We have conducted numerous hearings looking at ways to improve cancer care through the integration of complementary and alternative medicine in oncology.

I was pleased to introduced H.R. 3677 the Thomas Navarro FDA Patients Rights act this past spring. Four year old Thomas, who was shown to the world by Ambassador Alan Keyes during the Republican debates, was diagnosed with medulloblastoma, was denied access to a non-toxic cancer treatment by the FDA because he had not first gone through and failed chemotherapy and radiation. After his initial surgery, Thomas' parents, Jim and Donna Navarro, looked at the benefits and risks of these two treatments and found that the success rates had been overestimated and that the risks were too much to ask of them without first trying something less risky. We learned that of the three chemotherapy drugs which are routinely recommended to treat this cancer, two of them clearly state on their label that they have not been proven to be safe and effective in the pediatric population. In other words, the drug had not gone through the rigors of an FDA approval process for treating medulloblastoma or for use in children. I am very concerned that the FDA will force cancer patients into treatments they as an agency have not evaluated while denying them access to a clinical trial that the FDA is monitoring. I was pleased that many of my

colleagues joined me in support of this legislation. This issue points to something that we are lacking in this country—medical freedom. In the United States, a country based on freedom, we are not guaranteed the freedom to make our own health care choices. Americans are tired of this and I will continue working to change this.

We also looked at the role of improving care at the end of life. We learned that 38,000 World War II veterans die each month. Many of them die alone and in pain. Our veterans deserve better from us and I will continue to work to improve this.

We learned that the hospice approach to care, which many of us know from personal family experience has great benefit, that has been underutilized. We also learned that many complementary therapies such as music therapy, touch therapy, aromatherapy, massage, whole life review, and acupuncture offer a great benefit to the terminally ill. The importance of the hospice team approach was stressed as well. That is a team of patient, and care givers, doctor, nurse, chaplain, home health aid, social worker, and the tireless hospice volunteer working to offer care to the terminally ill and their family. Comfort rather than curative care is offered and oftentimes when spiritual, relationship, and personal healing can take place.

We will continue working on these issues as well as working with the White House Commission on Complementary and Alternative Medicine Policy and improving our health care system with the integration of complementary and alternative therapies.

IN MEMORY OF DR. CONRADT

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. HALL of Texas. Mr. Speaker, I rise to pay tribute to an outstanding citizen of the Fourth District of Texas, the late Dr. L.W. "Bob" Conradt of Terrell, who died on November 8. Dr. Conradt was an active and beloved member of his community—and he will be dearly missed.

Dr. Bob Conradt served Terrell as an excellent doctor. After closing his office where he practiced medicine for 26 years, he joined Blue Cross-Blue Shield as a Vice-President and medical director and served in that capacity until he retired in 1986. His community endeavors included membership in the Kaufman County Medical Society and the Texas Medical Association, as well as serving as President of the Terrell Independent School District School Board from 1963 to 1970. He also was a member of the Executive Committee of the Texas Association of School Boards, and active member of the Episcopal Church of the Good Shepherd, and a Scout Master for the Terrell Boy Scouts. As evidenced in all of these commitments, Dr. Conradt gave his time and energy to helping make Terrell a better place in which to live.

Dr. Bob Conradt was born in Lometa, Texas on March 9, 1921, to the late Albert Herman and Lennie Mae Cornelius Conradt. He attended Tarleton State University, the University of Texas, Baylor College of Medicine and graduated in the very first class of the Univer-

sity of Texas Southwestern School of Medicine in 1944. He served in the U.S. Army while attending medical school, and upon graduation he was stationed at Fort Bliss in El Paso, Texas as the General Medical Officer. In 1947, his military service was completed and Dr. Conradt moved his family back to Terrell, where he began his medical practice.

Throughout his distinguished career as a doctor in Terrell, Dr. Conradt received many recognitions, including Terrell Rotary Citizen of the Year in 1965, President of the Society of Life Insurance Medical Directors in 1985, and Advisory Trustee to the Episcopal Church and the Diocese of Dallas from 1962 to 1967.

He is preceded in death by his wife, Montie K. Conradt and his daughter, Montie Cathleen Conradt. He is survived by his son, Bill Conradt; a daughter, Patricia Conradt; grandsons, Tracy and Rob Morgan; son-in-law, Joe Morgan; and many other family members and friends.

Mr. Speaker, Bob was one of a kind—and we will miss him. As we adjourn today, let us do so in memory of Dr. L.W. "Bob" Conradt.

TRIBUTE TO CONGRESSMAN CANADY

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. ADERHOLT. Mr. Speaker, today I would like to pay tribute to man who has not only been an outstanding Member of the U.S. House of Representatives, but also a good friend and a help to me during my time in Congress. CHARLES CANADY, first elected in 1992, has been a leader on Judiciary issues, and a shining example of a citizen legislator who kept his word, and now returns to his home state of Florida to pursue other endeavors.

There are two issues on which I have especially appreciated Congressman CANADY's legal knowledge and leadership. The first is the issue of partial-birth abortion. Congressman CANADY has been an eloquent and persistent voice on behalf of the most innocent and defenseless in our society. Although the outcome of his diligent efforts may not yet be what we would have hoped, his vigilance will be the foundation on which we will one day build the law that will outlaw this barbaric procedure.

The other issue is Congressman CANADY's effort to protect religious liberty in America. Responding to the constant attacks on the free exercise of religion, Congressman CANADY has led the fight to restore the Constitutional protections for religious expression that our Founders intended, and to ensure that people of faith need not live as second class citizens in a nation that was founded on the principle that religion was an integral part of societal life.

For these reasons, and for many more, I thank Congressman CANADY for his service in Congress, and for his friendship. I wish him Godspeed in his pursuits upon his return home to Florida.

COMMEMORATING THE ARDENNES AMERICAN CEMETERY AND MEMORIAL

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. KIND. Mr. Speaker, on December 4, 2000, 1 and my good friend from California, Representative SAM FARR, had the honor and privilege of visiting the Ardennes American Cemetery and Memorial, near the village of Neupre in Belgium. The visit was an extremely moving experience, and I am grateful to have had the opportunity not only to view the beautifully maintained cemetery and memorial, but to lay a wreath in honor of the Americans who gave their lives in protection of their nation and the liberation of Europe.

The Ardennes American Cemetery is one of 14 permanent American World War 11 military cemeteries constructed on foreign soil by the American Battle Monuments Commission. It lies among the battlefields of the Ardennes plateau, across which American and Allied forces courageously fought their way first to the German frontier, then to the Rhine River, and eventually into the very heart of Nazi Germany. On December 16, 1944, a major German counteroffensive stalled the Allied advancement across the Ardennes. The "Battle of the Bulge," as the Ardennes-Alsace Campaign has come to be known, proved to be a furious struggle in bitter cold and harsh conditions, and in the first days of 1945, all attacks ground to a halt. On February 2, 1945, the First U.S. Army struck out to the Roer River. Six days later, the Canadian First Army advanced to the southeast, followed by a converging attack in the northeast by the Ninth U.S. Army. In the following weeks, the Allies found success and continued their march eastward toward the Rhine River. By the end of March, Allied armies, including French forces, advanced into Germany across a broad front.

Allied forces liberated the site of the Ardennes American Cemetery in September 1944, and a temporary cemetery was established on February 8, 1945. After the war, the remains of American military personnel buried in temporary cemeteries were moved to the new permanent foreign cemeteries upon the request of next of kin. Many of those interred at the Ardennes American Cemetery died during the Battle of the Bulge and the subsequent offenses and counter-offenses in the region.

The beauty and grandeur of the cemetery and memorial at Ardennes quietly convey the courage and sacrifice of the Americans who lost their lives on foreign soil while fighting for the highest principles on which their nation was established. The grounds and visitor center are wonderfully maintained by a diligent and knowledgeable staff. In particular, I would like to thank the Cemetery Superintendent, Hans Hooker, and his wife Virginia, for the wonderful treatment our delegation received on our visit. I would also like to recognize Vincent Joris for his valuable contribution in the upkeep of cemetery.

One of the more interesting and heartwarming aspects of the Ardennes cemetery is the support and commitment shown to it by the people of Belgium. In fact, 85 percent of the soldiers' graves at Ardennes are "sponsored" by a Belgian family, who watch over

the site, ensure that it is in a good state of repair, and even place flowers or other memorials at the grave on special occasions. All Americans should be very grateful for this outpouring of fellowship and allegiance by the people of Belgium.

Representative FARR and I were honored to be the first members of Congress to visit the Ardennes Cemetery and Memorial in its 55 year history. As we laid a wreath for those who perished during World War 11, and gazed upon the crisp rows of white crosses, I was struck by a sense of awe, pride and humility. Over 5,000 men are buried at Ardennes, more than 100 of which hailed from my home state of Wisconsin. Men from almost every state are buried there, as well soldiers from 11 countries. The unity of effort to defeat Nazism and fascism is reflected in the solemnity of the individual grave markers creating the greater unit of a single, expansive cross.

I encourage all Americans to take advantage of the enriching experience of visiting U.S. battle memorials and cemeteries when traveling overseas. Such excursions give individuals and families an opportunity to reunite with their past—to find and touch the graves of friends and loved ones lost in the great battles of the 20th Century, or simply to study a chapter of American history in surroundings that inspire both pride and reflection. In fact, in Fiscal Year 1999, over 10 million visitors were hosted by the American Battle Monument Commission, at 24 permanent cemeteries and 27 memorials located in 15 countries around the globe.

I also commend the Commission and their staff worldwide for their dedication to the preservation of American graves, American history, and American principles. As the battles of the World Wars begin to fade into history, it is important that we, as a nation, recognize and reflect on our past involvements across the oceans. These experiences shaped the course of our Nation's greatness in the years since, and neither those events, nor the men and women who perished in their making, should ever be forgotten.

HONORING THE ACHIEVEMENTS OF
DR. ROBERT ALEXANDER UPON
HIS RETIREMENT FROM THE
UNIVERSITY OF SOUTH CAROLINA
AT AIKEN

HON. LINDSEY O. GRAHAM

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. GRAHAM. Mr. Speaker, it is a great honor to recognize the impressive achievements of Dr. Robert Alexander. On June 30, 2000, Dr. Alexander retired from his position as Chancellor of the University of South Carolina at Aiken. He has been a leader in the Aiken community and his retirement leaves a great void in South Carolina Higher Education.

Dr. Alexander was born in the small coastal town of Kinston, North Carolina. A product of the public school system, Dr. Alexander earned a Bachelor of Arts in Political Science from Duke University, and later a Masters of Divinity.

In addition, Dr. Alexander received management certification from the University of South Carolina and the Harvard Business School.

Before earning his Doctorate in Higher Education in 1977 from the University of South Carolina, he held a number of administrative posts in student services. Following receipt of his doctorate he became an Associate Professor in the College of Education and later served as an Associate Vice President of the University of South Carolina system.

In 1983, Dr. Alexander, his wife Leslie, and their son Robert moved to Aiken.

From the beginning, Dr. Alexander used his management expertise and experience to magnify the University of South Carolina at Aiken's (USC-Aiken) already vital role in South Carolina. He worked tirelessly with leaders from business, government, and the education communities to forge new avenues of cooperation that benefited USC-Aiken and the people it serves.

Under Dr. Alexander's leadership, USC-Aiken, once a small branch of the University of South Carolina, is now thriving. Enrollment has doubled, and student/faculty ratios are among the lowest within South Carolina's state assisted four year public institutions. Undergraduate degree programs have tripled, and several graduate programs have become a part of the university.

USC-Aiken has seen dramatic improvements in its infrastructure during Dr. Alexander's tenure. Among them are the expansion of the Gregg-Graniteville Library and the Etheredge Center for Fine Arts in 1986, and the Ruth Patrick Science Education Center and the School of Nursing Building in 1999; construction of a state-of-the-art Sciences Building in 1989; the Children's Center and the Ruth Patrick Science Education Center in 1991; the Business Education Building in 1994; the DuPont Planetarium in 1995; the natatorium in 1997; relocation of the historic Pickens-Salley House to the USC-Aiken Campus; and acquisition of Pacer Downs student apartments.

Due in large part to his efforts, the endowment of USC-Aiken is now more than \$11 million with 13 endowed faculty chairs. This endowment allows USC-Aiken to offer programs and services not usually found at state-assisted institutions of similar size.

He worked diligently with the US Department of Commerce and the BellSouth Foundation to create the Rural Alliance for Teaching Enhancement. This Alliance significantly enhances the educational opportunities of students in rural public schools in a 10 county area by providing technological support.

Recently USC-Aiken received significant awards from the National Endowment for Humanities, the John Olin Foundation, and the National Science Foundation. These awards will contribute to the operations of the Ruth Patrick Science Education Center and the Economic Enterprise Institute.

Perhaps the most significant legacy of Dr. Alexander is the enhanced regional, state, and national reputation USC-Aiken has developed during his tenure. In 1999, U.S. News and World Report recognized USC-Aiken as one of the top three regional public liberal arts colleges in the Southeast. In their 2000 rankings, USC-Aiken is ranked second. The Southern Association of Colleges and Schools, the National League of Nursing, and the National Council for Accreditation of Teacher Education also recognize the many quality educational programs offered at USC-Aiken.

Dr. Alexander's commitment to the community does not end with the university. He is an

honorary member of the USC-Aiken Alumni Association. He also is an active member in the Aiken Rotary Club where he served as a member of the Rotary International District Scholarship Committee and on its board of directors. He also served on the Executive Committee of Security Federal Bank, the Executive Committee for the Economic Development Partnership of Aiken and Edgefield Counties, as a member of the board of trustees for Aiken Regional Medical Centers, on the vestry of St. Thaddeus Episcopal Church, and continues his work with the Diocese of Upper South Carolina's youth programs.

He once served as Chairman of the Savannah River Regional Diversification Initiative created by the US Department of Energy. He served on the board of directors for the Greater Aiken Chamber of Commerce where he was president in 1987, the United Way of Aiken County, and the Business Technology Center. Dr. Alexander held positions on the advisory board of Citizens and Southern National Bank of South Carolina, and the Aiken County Commission on the Future. He is also a past trustee of Hopeland Gardens and a chairman of the Peach Belt Athletic Conference.

He served as the Chairman of the South Carolina Council of State College and University Presidents as well as their representative on the Business Advisory Council of the South Carolina Commission on Higher Education, on the executive committee of South Carolina 2000 where he spearheaded the development of the South Carolina University Research Consortium, as a member of the Commission of the Future of South Carolina, South Carolina Council of Economic Education, Vice President of the Strom Thurmond Foundation, Board of Visitors for the Kanuga Conference Center in Hendersonville, North Carolina. Nationally, Dr. Alexander was appointed to the National Advisory Committee of Student Financial Assistance in 1991 and served as the committee chair from 1995-1997, past chair of the Modernization Task Force of the American Association of State Colleges and Universities, past member of board of director for the Institute for Continuing Education for the National University Continuing Education Association, and past member and institutional representative for the Association for Higher Continuing Education.

Through all of his hard work and determination to make a difference, Dr. Alexander has collected many deserving awards and honors.

In 1999, he received the Earl Kauffman Award from the USC-Aiken Academy for Lifelong Learning for his commitment to providing educational opportunities for senior citizens. The Student Personnel Association at the University of South Carolina awarded him the Distinguished Alumnus of the Year in 1996. In 1990, the University of South Carolina Black Faculty and Professional Staff Association honored him with an honorable mention award for Affirmative Action. The South Carolina Association of Higher Continuing Education presented him with the Outstanding President's Award in 1987. In 1985, Dr. Alexander was selected as Man of the Year by the Greater Aiken Chamber of Commerce.

He reached the pinnacle of service to the State of South Carolina in May of this year when he was bestowed the Order of the Palmetto, the highest designation the governor awards to an individual.

Dr. Alexander's retirement as Chancellor of USC-Aiken closes a successful chapter in the school's history. He developed the university and its students in every way by surpassing his required duties in all areas. His years of service leave an indelible mark on the institution. Dr. Alexander's accomplishments will benefit countless others in the future, and his legacy will be solidified by the successes of future generations. A leader in the higher education field and a dedicated community citizen, Dr. Alexander will be sorely missed as Chancellor of USC-Aiken.

TRIBUTE TO MAJOR MICHAEL L. MURPHY

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. McINTYRE. Mr. Speaker, today I pay tribute to Major Michael L. Murphy of the United States Marine Corps for his distinguished service and courageous leadership on behalf of the citizens of this great nation.

Major Murphy gave his life in the line of duty on the evening of December 11, 2000. By risking his life to ensure the safety of others, he made the ultimate sacrifice that any citizen of this nation can make. He left behind not only a loving family, but also a community and a country who will forever be grateful for his heroism.

As an aviator in the Marine Corps, Major Murphy had dedicated his career to defending the values this nation holds dear. With over 16 years of experience in the military, he had received the Meritorious Service Medal and the Navy and Marine Corps Achievement Medal with a gold star for his integrity and courage.

Major Murphy's valiant actions and his outstanding service to this nation serve to remind us of the gratitude we all feel toward this brave individual, along with all other servicemen and women who have lost their lives serving as guardians of this great country.

President John F. Kennedy once said, "For those to whom much is given, much is required. And when at some future date when history judges us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage . . . Second, were we truly men of judgment . . . Third, were we truly men of integrity . . . Finally, were we truly men of dedication?"

Major Michael L. Murphy would truthfully have been able to answer each of these questions in the affirmative. He was indeed a man of courage, judgment, integrity, and dedication. May the memory of this brave individual live on in our hearts, and may God's strength and peace always be with his family and friends.

IN RECOGNITION OF MAJOR EDWARD J. MARTY

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. HALL of Texas. Mr. Speaker, today I honor and pay tribute to a great American, Major Edward J. Marty of Tyler, TX, to whom I had the privilege recently to present the Purple Heart Medal which he earned more than twenty years ago.

Major Edward Marty proudly and courageously served in the U.S. Army for 20 years, 8 months and 16 days. On January 1, 1969, 1st Lieutenant Edward Marty was wounded by a land mine while leading his platoon of the 1st Calvary Division through the marshlands and rice paddies of Vietnam. Due to fractures in his legs and arms and a traumatic eye injury, Lt. Marty was transferred to multiple hospitals and was never presented the Purple Heart Medal, as is traditional. After many months in hospitals, and exactly two years after he was wounded, Lt. Marty was sent back to Vietnam as an advisor to Vietnamese Rangers, but through some unfortunate oversight, he still never received the much-deserved Purple Heart while on active duty in the Army, or any time shortly following his retirement.

It was not until this year that Major Marty finally received his award, and I was honored to make the presentation on November 10, during a Veterans' Day program at John Tyler High School in Tyler, TX, where Major Marty serves as Smith County Assistant District Attorney. It was a moving moment for Major Marty—and myself—and I believe the ceremony had a special impact on students at John Tyler who know about the Vietnam conflict only through textbooks or personal testimony. Certainly, most of the students had never met a distinguished Purple Heart recipient.

As we all know, the Purple Heart is an honor launched by George Washington to recognize those who gave above and beyond the call of duty and who wear the scar of battle. Major Edward Marty is among this elite group of Purple Heart recipients who risked their lives and suffered injuries for the cause of freedom. So it is with great admiration that I recognize Major Marty today, and as we prepare to adjourn the 106th session of Congress, I ask my colleagues to join me in paying tribute to this true American hero—Major Edward Marty.

THE RESPONSIBLE MONITORING ACT OF 2000

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CANNON. Mr. Speaker, I rise today to introduce the "Responsible Monitoring Act of 2000." This bill is intended to make the Internet a better, safer place by encouraging voluntary efforts to detect and stop illegal activities. This legislation would provide real incentives for responsible monitoring by "E-commerce" businesses that host consumer-to-con-

sumer transactions on their web sites. Allowing e-companies to monitor their sites and remove illegal goods and services offered for sale by others, is the right approach for a better Internet. Unfortunately, current law actually discourages E-commerce companies from even looking for illegal activity on their sites. Under current law ignorance is bliss, and those companies most active in protecting their users are most at risk. This situation must be changed.

I realize that this bill will not be acted upon in the 106th Congress prior to adjournment, but I believe it is crucial to put the issue before the House now to get members thinking about a solution. As long as e-companies remain under the threat of litigation they will be reluctant to self monitor. I will reintroduce similar legislation in the 107th Congress and request hearings. I am aware, however, that content providers, privacy advocates, and others have concerns about this issue. I would like to invite all concerned parties to work with us in the next Congress to find a workable solution that addresses all concerns and encourages voluntary, responsible monitoring on the Internet.

A TRIBUTE TO TONY RUDY, A GOOD FRIEND AND A TRUE BELIEVER

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. DELAY. Mr. Speaker, I rise today to pay tribute to a friend and colleague who, after eight years of service to the House of Representatives, is moving on. Every member of this House knows how important it is to have good staff. These are the people who run this institution from day to day. They are the people who do the grunt work, draft the bills, work long nights—all in service of the American people. And we, as Members of Congress, place our trust and careers in their capable hands every day.

I am very lucky. I have always been blessed with great staff. But every once in a while a truly special person comes along and inspires and energizes an office. I was lucky enough to have one of the best, one of the most committed, one of the brightest staffers on Capitol Hill working for me for the past five and half years. His name is Tony Rudy.

Tony came to work for me in 1995, just as I was beginning my time as Majority Whip in the House of Representatives. Being the Whip is hard work, and a lot of that work falls on my staff. These staffers devote a large part of their lives to making sure we get our work done, pass legislation and make the House of Representatives a livable place for Members of Congress.

And Tony is one of the best. He has held virtually every position in my office as he worked his way up the ladder. He started out as a Press Secretary and moved on to Policy Director and finally Deputy Chief of Staff. And he was superb in each of these positions.

As my Press secretary, Tony's hallmark was his ability to form real friendships with the Washington press corps. The people covering politics and Capitol Hill know that they can call Tony anytime and they can always trust what

he has to say. Tony's authenticity and ability to form relationships has been instrumental to his success.

Next, I put Tony's commitment to the conservative cause to good use by making him my Policy Director. One of the things that I have always admired about Tony is his real commitment to the conservative agenda. He is not in Washington, DC for power or personal gain. He is here because he believes in what he is doing and because of his desire to make America a better place. And his commitment was on display every day as he moved through my office like a whirlwind, pressing staffers to do more, to work harder. He is personally responsible for the passage of much good legislation, but more importantly he was on the lookout for bad legislation.

More than a few bad bills found an early grave because of Tony's vigilance. Finally, Tony served as my Deputy Chief of Staff. In that capacity he became a not just great staffer, but a great friend. He was my gatekeeper and my watch-guard. In many ways, too numerous to list here, he made my life in Washington, DC tolerable.

Now, Tony has decided to move on to greener pastures. For five and half years, Tony was always on call. He worked countless late nights and weekends. Now, he has a beautiful new son and is time for him to step back and spend some time with his family.

Tony's departure is a personal loss for me, but I know that it is the right thing for him to do. I wish him the best in his new career and I wish him and his family all the joy and happiness in the world. After all of Tony's hard work for me and the American people, they truly deserve it.

TRIBUTE TO WILFRID A.
GRANQUIST, JR. IN HONOR OF
HIS 80TH BIRTHDAY

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to pay tribute to a very special husband, father, and grandfather, Mr. Wilfrid A. "Jay" Granquist, Jr. who celebrated his 80th birthday on November 22, 2000.

Born to Wilfrid A. Granquist, Sr. and Leona Ellis Granquist on November 22, 1920, young Jay became, by necessity, independent at an early age. Using his own resources, he survived and thrived during his adolescent years. Mr. Granquist served his country in defense of freedom in World War II and fought valiantly in the infantry during the Battle of the Bulge. Upon completing his service to our country, he became a metallurgical engineer of quality control with Westinghouse, which later merged with Bendix Corporation in Kansas City. He retired as a senior metallurgical engineer in 1981 after 21 years of service to the company.

Mr. Granquist met and fell in love with Margaret Lang while roller skating in 1939. During their first encounter, he cut his finger and asked his future bride to kiss it and make it better for him. On September 21, 1940 they were married and celebrated 60 years of matrimony this past September. Jay and Margaret have 3 children—Marilyn Leona Watson, John Lang Granquist, and Joyce G. Holland who

will commemorate their father's 80th birthday on November 24 along with his 13 grandchildren and 8 great grandchildren.

One remarkable milestone that should be noted is Jay's 3 half siblings who he was recently reunited with—2 sisters and 1 brother. His half brother, James, celebrated his 50th birthday in 1999 and his wife, Rhonda, took it upon herself to invite Jay and Margaret to join them. This was most touching and heartwarming for all of the siblings.

Mr. Granquist has spent much of his retirement years volunteering for organizations such as Seton Center, St. Joseph Hospital, and the Red Bridge Lions Club. He has served as a lay minister in his parish, St. Thomas Moore, and is president of his homes association, Klatte Meyer Estates. His volunteer work at St. Joseph Hospital includes driving the jitney to transport patients and visitors from the parking lot to the hospital. His friendly manner is appreciated, and it is noteworthy that Jay has never met a stranger. Other volunteers who appreciate his myriad skills fondly refer to Mr. Granquist as a "Jack of All Trades." His efforts at Seton Center include collecting and transporting food and bakery items to the Center for distribution to the needy. As part of the "Share of the Harvest" program for the Missouri Department of Conservation, Mr. Granquist transports fowl and venison for use by the Center. He is an avid woodworker, building food shelves and other essential construction needs at the Center. He revels in restoring airplanes and is a member of Save a Connie. Mr. Granquist is an advocate for neighborhood concerns and active in local political campaigns in Kansas City. In his spare time he enjoys square dancing with Margaret, refinishing fine furniture, and creating special gifts for family and friends. His generosity is unmatched, and his selfless dedication to the greater good continues to motivate him to help his fellow man.

Mr. Speaker, on behalf of Mr. Wilfrid A. Granquist, Jr., his wife Margaret; his children, Marilyn, John, and Joyce, his grandchildren and great grandchildren, please join me in saluting the life of this remarkable gentleman and in wishing him a happy 80th birthday.

Thank you.

IN MEMORY OF JOHNNY CACE

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. HALL of Texas. Mr. Speaker, today I speak memory of a legendary East Texan, Johnny Cace of Longview, TX, who died recently at the age of 83. Johnny Cace was a household name in East Texas. His restaurant that bears his name is part of the culture of Longview, and Johnny was known as one of Longview's leading ambassadors of good will.

Johnny was devoted to his family, his community, and his church—and he was a friend to so many from all walks of life. Born Jan. 8, 1917, in New Orleans, he grew up working with his father at their oyster camp between school years, where he learned to harvest oysters and catch fish and cook. After graduating from Buras High School in 1933 as salutatorian of his class, he attended Louisiana State University and then moved with his fam-

ily to Shreveport to open an oyster and seafood market. Johnny volunteered for the U.S. Air Force during World War II and served four years as mess sergeant of officers' mess at Moore Field in McAllen.

Following the War, Johnny married Valerie Savony, now deceased, and moved to Longview in 1949, opening Johnny Cace's Seafood & Steak House. The restaurant moved to its present location in 1964 and expanded several times to its current seating capacity of 450. It is a popular location for various civic luncheons and special events in Longview, and its reputation for excellence has attracted patrons from all over the State of Texas.

Johnny was active and involved in the restaurant until his recent hospitalization. He served as president of the Texas Restaurant Association in 1967 and received the distinguished service award that year. He also served on TRA's State Advisory Council and was a longtime member of the board of directors of the East Texas Chapter of TRA and the state board of TRA. He was chosen as Texas Restaurant Association Man of the Year in 1967, was selected as Outstanding Restaurateur in 1961 by the East Texas Restaurant Association and as Outstanding Restaurateur in the State in 1970. In 1985, Johnny was selected as a member of the Texas Restaurant Association Hall of Honor, the highest honor one can receive in TRA.

Johnny's accomplishments in Longview were just as noteworthy. He was a lifetime member of the Longview Chamber of Commerce, having served as president and two terms on the board of directors. He was a founding member of Junior Achievement of East Texas. He served as district chairman of the Sustaining Membership Drive of Boy Scouts of the East Texas area. He was a past vice president of Longview Civitan Club. He served on the board of directors of Longview Bank & Trust Co., the Good Shepherd Hospital Foundation Board and the Operations Committee of St. Anthony's Catholic Church. As a member of the Longview Council of Knights of Columbus, Johnny was a Past Grand Knight of the Third Degree and Past Faithful Navigator of the Fourth Degree.

Johnny's other honors include the Boy Scouts of America Silver Beaver Award for Distinguished Service to Boyhood; the Headliner Award from the Professional Journalists; Man of the Year award by the Longview Federated Club; the East Texas Heritage Award from the Festival in the Pines; and in 1999, the Longview Partnership Chairman's Award. Johnny was an active member of St. Mary's Catholic Church, the Elks Club, Pinecrest Country Club and the Delta Fishing Club.

He is survived by his wife, Margaret Gregory Cace of Longview; son John III and daughter-in-law Linda of San Antonio; son Gerard and daughter-in-law Cathy of Longview; and son Danny and daughter-in-law Sarah of Tyler; seven grandchildren; a sister, Rose Cace Sanders of Shreveport; and numerous nieces, nephews and cousins.

Johnny Cace genuinely liked people and always had a smile and a kind word to say to those he met. He was a friend to so many from all walks of life—and he was liked by all who knew him. He was truly one of Longview's most influential "goodwill ambassadors," and he leaves a legacy of goodwill that will be remembered for many years to come. He also leaves a powerful family legacy

in his sons, who are carrying on the family restaurant business and will help keep the Cace legend alive. Gerard operates the Longview establishment; Danny operates the restaurant in Tyler, and John operates the restaurant in San Antonio.

Mr. Speaker, it is an honor for me to pay my last respects in the CONGRESSIONAL RECORD to an outstanding American and an exemplary individual who was beloved by his family, friends, and the citizens of Longview, and who will be truly missed—Johnny Cace.

EXPRESSING SORROW OF THE
HOUSE AT THE DEATH OF THE
HONORABLE JULIAN C. DIXON,
MEMBER OF CONGRESS FROM
THE STATE OF CALIFORNIA

SPEECH OF

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2000

Mr. BERMAN. Mr. Speaker, on Wednesday I had the unwelcome honor of participating in the funeral service for our beloved late colleague, JULIAN DIXON. I submit the remarks I made therein the RECORD.

It is said that grief and mourning are in reality selfish emotions, because we are really overcome by what we have lost. I'm feeling pretty selfish right now because I've lost my closest friend in public office.

It's a sunny morning in November, 1972 as I board the flight to Sacramento to attend freshman orientation for the newly elected members of the State Assembly. As fate would have it, my seatmate is Julian Dixon, whom I've never met before, also newly elected. It is the start of a deep and enduring friendship, an "odd couple" relationship between the slightly self-righteous Jewish guy from the San Fernando Valley—who cut his political teeth in the left of center reform wing of our party and the more moderate and wise African-American party regular from Central Los Angeles mentored by the late Speaker Jess Unruh and then State Senator Mervyn Dymally.

Together we went through a traumatic Speakership fight, Assembly leadership positions pioneering and often successful legislative initiatives, a wild and crazy Jerry Brown governorship and developed a relationship where we could share the most intimate of details and in subsequent years wonderful social occasions with our wives, Bettye and Janis.

Thomas Jefferson once wrote "on matters of style, swim with the current; on matters of principle, stand like a rock." He describes our friend.

Julian Dixon had the uncanny ability to stake out his position, detach himself from that position, step into the other person's shoes, subordinate his own ego and shrewdly calculate how to address his advisory's concerns in order to attain his original objective. If it meant taking less credit than he deserved, so be it. He surely holds the record for fewest press conferences by a Member of Congress.

But no one who knew him could mistake his calm demeanor, his thoughtful approach and his remarkable efforts at bipartisanship for a lack of passion or commitment to a progressive pro-civil rights, activist agenda.

One of the remarkable scenes on the House floor was watching this serene and sedate man rise to levels of eloquence and con-

trolled anger at a demagogic attack or a rhetorical cheapshot. The hush that would envelope the chamber when Julian's voice rose was palpable. Be it an effort to override the decision of D.C. voters or its City Council through an amendment to his D.C. appropriations bill or an attack on the all too frequent disaster relief appropriations for Los Angeles, when the voting began Members you could never imagine would flock to his position, deferring to his judgment and moved by his passion.

But this was the unusual occasion. While I've chosen not to even attempt to enumerate them, most of his myriad legislative accomplishments were achieved behind the scenes, with little fanfare.

In the Spring, 1999, Justices Thomas and Souter appeared before his subcommittee to testify for the Supreme Court's budget request. The nearly complete absence of minorities and the under-representation of women as law clerks to the Supreme Court justices deeply disturbed Julian. In typical fashion, Julian did not seek to rectify the situation by crafting an amendment (which would never have passed), nor did he hold a high profile press conference. He did not hurl insults. Rather, with appropriate deference and a deft and direct explanation of just why this was so intolerable, he made his case and thanked them for listening. The Justices expressed their appreciation for the way he chose to deliver his message and lo and behold, in the next term the increase in minority and female clerks was dramatic, if not yet adequate—classic Julian Dixon.

As the Cold War ended, Julian left the foreign assistance subcommittee (where he had fought for foreign aid generally and aid to Israel specifically) and joined the defense appropriations subcommittee. As California slid into recession and unemployment in his own district rose, he worked with Jerry Lewis to fight for California jobs and defense conversion projects. He persuaded his colleagues and the Pentagon to fund joint school district—National Guard mathematics and technology—enrichment programs in high schools throughout Los Angeles. What good is it, he said, to have high tech weapons and inadequate training for the kids who will be using them. He was particularly proud of his success in initiating and funding residential programs for "at risk" youth from the inner city. He went where the money was, and produced for the people about whom he cared so much.

This week's Congressional Quarterly headlined its article on Julian's passing—"Remembered for Selflessness, Taking on Thankless Tasks." He chaired the Ethics Committee for six years and has been the ranking Democrat on the highly sensitive House Intelligence Committee, where he grappled on a bipartisan basis with our country's critical national security issues. Little publicity, less glory and no fund-raising potential. Add to the "thankless tasks" his many years chairing the District of Columbia appropriations subcommittee, where he fought for the city in which he was born and raised, particularly because its residents to this day are denied equal political representation.

Now this latter position did carry some clout. In the mid-1980s, I accompanied Julian to an anti-apartheid demonstration in front of the South African embassy, a sure ticket to jail. When we were booked I remarked the jail looked rather spiffy. Julian indicated that indeed it did, that before the daily demonstrations started he had suggested to key D.C. officials that they might want to give it a new paint job to impress the many Congressmen who would be passing through.

Julian's loyalty to and love for the House was apparent to anyone who knew him.

When Minority Leader Dick Gephardt asked me to take a slot on the Ethics Committee, Julian told me I had no choice—it was my obligation to the institution in which I had the honor to serve.

Julian's friends in L.A.—he loved them dearly and they loved him in return. When he first ran for Congress in 1978, he started as a distinct underdog, representing much less of the district than one of his opponents, much less well-known than the other. (Julian had mastered the art of remaining relatively unknown to the general public)—or so I thought until today. His friends came through for him like gangbusters. They set new records for fund-raising within the African-American community, providing the resources and the volunteers to send him to a substantial victory. He never forgot them.

I never met an elected official who was so attentive to people who could do nothing for him politically. He always had time to share a word with the Rayburn subway driver, the elevator operator, the committee secretary. There was always enough time to help the former staffer. He was not one to look over your shoulder to see if someone else in the room had more money, more power, more influence.

One of the true joys of my life in Washington were my frequent dinners with Julian. We glided from House business to local politics to our families effortlessly. From those dinners, Bettye, I know how much you meant to him, how strong you were, how proud he was of your tremendous success in business.

Julian was filled with good advice—but he was not infallible. One evening he indicated that he had begged Johnnie Cochran not to take the O.J. case, there was no way he could win and it would destroy his career.

Julian was a throwback to a different political era, where discourse was civil, where adversaries at work could have a drink together in the evening, where not every interaction was defined by whom was benefitted in the next election.

Perhaps, just perhaps, Julian Dixon's career and life can be instructive to us as we embark on a new Congress with a new President. I think the American people want what Julian offered—true to his beliefs and still able to see the other side, solving problems and working to make our community and country a better place—and even having a little fun while we're doing it. Dr. King once said "If a man is called to be a street sweeper, he should sweep the streets even as Michelangelo painted or Beethoven composed music or Shakespeare composed poetry. He should sweep streets so well that the hosts of heaven and earth will pause to say, 'here lived a great street sweeper who did his job well.'"

Julian—you were a great Congressman, and you did your job well. We'll miss you more than you could have imagined.

H.R. 4868

HON. BILL ARCHER

OF TEXAS

HON. PHILIP M. CRANE

OF ILLINOIS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. ARCHER. Mr. Speaker, on behalf of myself, and my colleagues, Mr. CRANE and Mr. RANGEL, we would like to submit the following statement for the RECORD.

It has come to our attention that a clerical error occurred during the preparation of the final version of H.R. 4868, the Tariff Suspension and Trade Act of 2000. H.R. 4868 was enacted as Public Law 106-476 in November of this year.

The error occurred in Section 1425 of the bill. Section 1425 was intended to exempt certain entries of roller chain from additional dumping duties assessed by Commerce more than 2 years after importation. Unfortunately, as passed, a phrase was inadvertently omitted from Section 1425. We therefore wish to clarify for the record Congressional intent.

Section 1425 was intended to direct the U.S. Customs Service to liquidate certain entries of roller chain "as the rate of duty in effect at the time of entry." This phrase, "at the rate of duty in effect at the time of entry," was contained in the original draft of Section 1425. That language was omitted in the final version of the bill due to a clerical error.

In passing this provision, we believed that there would be no benefit to the government to collect these supplemental duties because the particular dumping case on these products has been "sunset," or terminated by the government, for any future imports. It was our intent that the entries at issue in Section 1425 be reliquidated by Customs at the rates of duty in effect at the time of entry.

IN HONOR OF THE LATE JUDGE
JOSEPH N. FALBO

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. MENENDEZ. Mr. Speaker, today I honor Judge Joseph N. Falbo, who passed away on October 27, 2000. Mayor Brian Stack and the Union City Board of Commissioners will hold a memorial service today to honor Judge Falbo and his distinguished career.

Judge Joseph N. Falbo was born and raised in Union City. After graduating from John Marshall Law School, he served in the Army Airforce during World War II. In the 1960s, Judge Falbo served as municipal and county prosecutor, and was appointed to serve as municipal judge in 1969 by Mayor William V. Musto.

At 83 years of age, Judge Falbo was one of the oldest judges in the State of New Jersey. While state judges are required to retire at the age of 70, there is no age restriction for municipal judges.

Judge Falbo served with great honor and integrity. Throughout his career, he continually demonstrated the deepest commitment to the laws of the United States and to the residents of Union City. He was a deeply compassionate man, who understood the differences and challenges faced by the people he served.

Today, I ask my colleagues to join me in honoring the life and career of Judge Joseph N. Falbo. This is a great loss for the community, and he will be deeply missed.

THE FARRI FAMILY

HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. HILLEARY. Mr. Speaker, over three years ago I proudly announced the birth of Richard Vincent Farri, born to my good friend, U.S. Capitol Police Officer Vincent Farri and his wife, Christina. I am especially pleased to announce the birth of their second child, Paul Christopher Farri, on November 13, 2000, at 11:54 AM. Paul Christopher weighed 7 pounds, 15 ounces.

As Vincent, Christina and their toddler, Richard, adjust to the new addition to the family, I want wish them the best. Paul Christopher is a lucky young man. Not only does he have a terrific mother and father raising him, but he has a big brother who will be his lifetime friend.

Sgt. Farri is a valued friend. It gives me pleasure to submit these remarks into the CONGRESSIONAL RECORD recognizing the Farri family.

IMPOSING AMERICA'S VOTING
SYSTEM

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. DAVIS of Virginia. Mr. Speaker, I, along with my fellow colleagues, Representatives STEVE ROTHMAN, PATRICK KENNEDY and HEATHER WILSON, are pleased to introduce meaningful, bipartisan legislation to reform the administration of our nation's elections. The Election Reform Act will ensure that our nation's electoral prices is brought up to twenty-first century standards.

The Election Reform Act will establish an Election Administration Commission to study federal, state local voting procedures and election administration and provide grants to update voting systems. The legislation combines the Federal Election Commission's Election Clearinghouse and the Department of Defense' Office of Voting Assistance, which facilitates voting by American civilians and servicemen overseas, into the Election Administration Commission, creating one permanent commission charged with electoral administration.

The Commission will be comprised of four individuals appointed by the President, with the advice and consent of the Senate. The Commission will conduct an ongoing study and make recommendations on the "best practices" relating to voting technology, ballot design and polling place accessibility. Under this legislation, the Commission will recommend ways to improve voter registration, verification of registration, and the maintenance and accuracy of voter rolls.

It is vital that we establish this Commission as a permanent body. Many issues and concerns surrounding elections necessitate a continual review of ever-changing technologies. A permanent Commission will be best suited to facilitate the sharing of information about new, cost-effective technologies that can improve the way we administer elections in America.

COMMITTEE STAFF TRIBUTE

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. McCOLLUM. Mr. Speaker, on December 7, 2000, I gave remarks reflecting on my years of service on the Judiciary, Banking and Intelligence Committees. Specifically, I paid tribute to the many committee staff members who worked tirelessly and made outstanding contributions during my years of service.

In those remarks, I failed to mention a few of those staff members, and wanted to submit a comprehensive list of those who I had the pleasure of working with in Congress. Without their efforts the work I accomplished would not have been possible. The public owes them many thanks.

COMMITTEE STAFF TRIBUTE: (1981-2000)

Doyle Bartlett, Chris Barton, Anita Bedelis, Yosef Bodansky, Mark Brinton, Aerin Dunkle Bryant, Dan Bryant, Audrey Clement, Veronica Eligan, Rick Filkins, Carmel Fisk, John Heasley, Charlene Vanlier Heydinger, Gerry Lynam, Paul McNulty, Nicole Nason, Tom Newcomb, Jim Rybicki, Glenn Schmitt, Kara Norris Smith, Carl Thorsen.

HONORING DOMINIC D.
DiFRANCESCO FOR FIVE DEC-
ADES OF SERVICE

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. GEKAS. Mr. Speaker, I rise today to honor Dominic D. DiFrancesco for five decades of service to the United States of America. Dominic served his country as a Korean War veteran and was the past National Commander of the American Legion. He also served as Pennsylvania's National Executive Committeeman.

On the national level of the American Legion, Dominic served as chairman of the Membership and Post Activities Committee and the Legislative Committee. He was also a member of the Public Relations Commission, The National Security Council and the Resolutions Sub-committee. Dominic has been an active participant in veteran affairs in the 17th Congressional District where he has been a strong advocate for the improvement of services to veterans.

Dominic also served as a special representative to Saudi Arabia prior to Desert Storm to gather information about the needs and concerns of U.S. soldiers.

Dominic has recently been honored in my district by having the Dauphin County veterans building named in his honor. The Dominic D. DiFrancesco Veterans Memorial Office Building stands as a testimony of the service of Dominic and the many veterans like him who have given so much to their country.

Dominic, thank you for your service to this great land of ours and to the 17th Congressional District, I know the entire United States House of Representatives joins me in honoring your many accomplishments.

INTRODUCTION OF H.R. 5668,
SWEETEST ACT—SACCHARIN
WARNING ELIMINATION VIA EN-
VIRONMENTAL TESTING EM-
PLOYING SCIENCE AND TECH-
NOLOGY

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. KNOLLENBERG. Mr. Speaker, today I submit legislation that would eliminate need-less bureaucratic regulations in the labeling of the sweetener saccharin. I've called it the "SWEETEST Act" which stands for Saccharin Warning Elimination via Environmental Testing Employing Science and Technology.

Saccharin was first discovered in 1879 and it has been safely employed as a no-calorie sweetener for over one hundred years now. Concerns over saccharin's safety were first raised twenty years ago after a flawed study that administered huge quantities of the artificial sweetener to laboratory rats produced bladder tumors in rats. New and better scientific research has decisively shown that the earlier rat studies are not at all applicable to humans.

Earlier this year, the National Toxicology Program (NTP) removed saccharin from its 9th Report on Carcinogens. In doing so NTP joined numerous other world health agencies in recognizing the safety of saccharin.

NTP's action negated the need for the current warning label mandated by the Saccharin Study and Labeling Act of 1977 (SSLA) on all products containing saccharin. The Food and Drug Administration recognized that the mandated warning label is inappropriate and agreed to support its repeal.

This legislation removes Section 403, paragraph (o) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 343) and Section 4, paragraph (c) of the Saccharin Study and Labeling Act (P.L. 95-203). Those requirements formed the basis for the unnecessary warning statements found on common packets of sweeteners used every day in thousands of households and restaurants across the nation.

Given saccharin's favorable synergistic properties in combination with other sweeteners and its low cost, many food, beverage, and health care manufacturers are very interested in developing new products utilizing this sweetener.

UKRAINE AT THE DAWN OF THE 21ST CENTURY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. LEVIN. Mr. Speaker, today, as we conclude the work of the 106th Congress, it is appropriate that we mark an important milestone in Ukraine: This afternoon, at 1:16 local time, the Chernobyl nuclear power plant was shut down for good.

On April 26, 1986, Reactor Number Four at the Soviet-designed Chernobyl nuclear facility exploded, releasing more than 100 tons of lethally radioactive material into the environment. The human cost of this disaster is stag-

gering. It is unlikely we will ever know how many deaths can be directly attributed to Chernobyl, but surely the loss of life is measured in the thousands. Hundreds of thousands more were subjected to radiation poisoning.

Nearly 15 years later, the consequences of the world's worst nuclear accident continue to plague Eastern Europe. Ukraine has been especially impacted. Vast tracks of once prime farm land remain dangerously contaminated. Thyroid cancer among children living near Chernobyl has risen to levels 80 times higher than normal. The concrete and steel sarcophagus that encases the ruined Reactor Number Four is leaky and in need of repair. In addition, the loss of Chernobyl's generating capacity exacerbates an already difficult energy shortage in Ukraine, which depends heavily on energy imports, especially during its harsh winters.

It is fitting that the first year of the new century should see the closure of this apparatus from a dangerous past. At the same time, we must be mindful that Chernobyl's legacy remains a heavy burden for the people of Ukraine which does not end with the shutdown of this facility today. The fatally flawed nuclear technology that built Chernobyl was truly a kind of Pandora's Box that, once opened, released lasting harm and grievous sickness into the world. The sole consolation is that we can yet hope to redress the damage.

The final closure of Chernobyl ends a tragic chapter in Ukraine's history, and begins a new one. I call on every member of the House to join with me in remembering the victims of this tragedy. Let us resolve to do our part to help Ukraine build a brighter future.

INTRODUCTION OF UNIFORM POLL CLOSING ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. MARKEY. Mr. Speaker, I am pleased to join today with my colleagues Senator STEVENS and Senator INOUE, along with Representatives TAUZIN and DINGELL and 20 other Democratic and Republican House and Senate Members to introduce the bipartisan Uniform Poll Closing Act.

Over the years, both the Democratic and Republican parties have been concerned about the fact that the news media frequently projects a particular Presidential candidate to be the victor in key battleground states before all the polls have closed nationally.

In 1980, many Democrats were outraged when Ronald Reagan was proclaimed the victor of the Presidential race on network television at 5:15 p.m. Pacific time. At that moment, polls were still open in approximately half the states, in every time zone—including many in the eastern and central time zones, and all the polls in the Mountain, Pacific, Alaskan, and Hawaiian time zones. As a result of the networks' decision, many voters felt there was no longer any point in going to the polls, a development which may have affected the outcome of many state and local elections. In 1984 and 1988 many Democrats feared that network's projections in the early evening that the Republican candidate was going to be the overwhelming electoral college winner may

have again affected voting in many state and local contests in the west.

This year, many Republicans were angered when the networks projected AL GORE the victor in Florida, prior to the closing of polls in the Florida Panhandle. At the same time, some GOP lawmakers raised concerns that network projections regarding the likely victors in many other key Presidential battleground states in the East or Midwest may have affected voter turnout in other states in which the polls were still open.

I believe that there is a relatively straightforward way to reduce a repeat of these concerns: adoption of a uniform poll closing time for Presidential elections. That is why today, we will introduce legislation which would establish a uniform poll closing time. Under this bill, for Presidential elections, polls in all 50 states would close at 9 p.m. eastern standard time, which is 8 p.m. central standard time and 7 p.m. mountain time. In the Pacific time zone, in Presidential election years only, in order to achieve a 7 p.m. poll closing time, daylight savings time would be extended for two weeks. This will allow the polls on the West Coast to close at 7 p.m. Pacific daylight time.

The House approved identical legislation in 1986, 1987, and 1989, but it was never enacted into law. We have an opportunity now to rectify this situation, establish a uniform poll closing time, and minimize the potential that future premature projections by the television networks regarding the winners of a Presidential election will influence voter behavior in other states.

While the public may be divided over whom they want to see become our next President, both Democratic and Republican votes agree on the need to establish a uniform poll closing time. In fact, a recent CBS poll reports that 71% of the American public would like to see a uniform national poll closing time established. This reflects the public's recognition that standardizing poll closing times for Presidential elections would reduce the likelihood that when the television networks declare a winner in one state, they may depress voter turnout in any remaining precincts in the state in which the polls remain open, or affect voter turnout in other state across the country.

I look forward to working with Senator STEVENS, Representative TAUZIN, DINGELL, and other interested Members to advance this proposal. Over the last several days, I have spoken to Senator STEVENS, who has long been a leader on this issue in the Senate, and who had a strong interest in working out a formulation that would accommodate Alaska and Hawaii. With this bill, we have been able to accomplish that goal by allowing those states to open their polls on Monday afternoon and then bring them into the framework of the nationwide uniform poll closing time we are establishing for election Tuesday at 9:00 p.m. Eastern Standard Time.

In introducing this bill today, we are hoping to begin a debate on this issue by putting onto the table the main proposal that the House has previously approved, and we are open to considering other reasonable alternatives. What we would like to assure, however, is that this time, the Congress acts to reform the rules governing poll closing times in Presidential elections.

UKRAINIAN CARDINAL MYROSLAV
LUBACHIVSKY 1914-2000)

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Ms. KAPTUR. Mr. Speaker, Ohioans, particularly those of Ukrainian ancestry, were saddened to hear of the passing yesterday of Cardinal Myroslav Lubachivsky, the head of Ukraine's Greek Catholic Church. Cardinal Lubachivsky was born in 1914 in the town of Dolyna in the Western Ukrainian province of Galicia and died not far from there in the city of Lviv, where he served as Archbishop and Metropolitan for millions of Ukrainian Catholics worldwide, including many in Ohio. Although the Cardinal was born in Western Ukraine and served his people as their spiritual leader until his last days, he spent more than half his life outside his native land, including 33 years in the United States.

Cardinal Lubachivsky left Ukraine in 1938 as a young priest to study in Austria. After the Second World War, he came to America where he spent more than twenty years serving as assistant pastor at Sts. Peter & Paul Ukrainian Catholic Church in Cleveland's Tremont neighborhood. There he celebrated mass, presided over the marriages of happy couples, baptized their newly-born infants and spoke the final words over the graves of thousands of his parishioners. He even drove the school bus for children attending the parish grade school. This scholarly, yet humble man seemed content to serve God and his fellow Ukrainian-Americans in this quiet, unassuming way when unexpectedly he was elevated to be Metropolitan-Archbishop of Philadelphia. In 1980, he moved to the Vatican and in 1984, became worldwide head of the Ukrainian Greek Catholic Church following the death of the saintly Cardinal Joseph Slipy.

Joseph Slipy had become the head of the Ukrainian Greek Catholic Church in 1944 when Western Ukraine was incorporated into the Soviet Union. Prior to that, Western Ukraine had been part of the Austrian Empire and Poland. Almost immediately, the Soviet Secret Police started carrying out Stalin's order to liquidate the Ukrainian Catholic Church. The entire clergy was either arrested or forced to renounce their faith. Most declined to do so and ended up in Siberia or were shot. Archbishop-Metropolitan Slipy spent 17 years in labor camps until Pope John XXIII finally negotiated his release in 1963. As a cardinal of the Catholic Church, Joseph Slipy went to work rebuilding his church in the underground in Ukraine and in places like Cleveland, Ohio where Myroslav Lubachivsky served as assistant pastor.

In 1991 with the collapse of the Soviet Union, His Eminence Myroslav Lubachivsky, a Cardinal and a U.S. citizen, returned in triumph to the city of Lviv to preside over the

Ukrainian Catholic Church and its historic St. George's Cathedral. "This native church of mine was resurrected and rose from the grave," he said at the time. Tens of thousands of Ukrainian Catholics, many weeping and singing hymns, lined the streets to greet their Cardinal and Archbishop-Metropolitan.

Cardinal Myroslav Lubachivsky had one of the most extraordinary and fulfilling lives that spanned nearly the entire 20th Century. He served through some of the most difficult periods of that turbulent era and he lived to see his faith and the faith of millions of his parishioners rewarded with the restoration of his church, which not only survived enormous evil, but ultimately prevailed over it. I join in paying tribute to this great man and offer my condolences to all those in Ohio and throughout the world who benefited from his spiritual guidance and leadership and now mourn his passing. With his entire life a prayer, Cardinal Lubachivsky walked in faith and toward the light that now shines over people and leaders that long for a new tomorrow. May he rest in peace.

RECOGNIZING HUGH C. BAILEY OF VALDOSTA, GEORGIA, FOR HIS RETIREMENT FROM VALDOSTA STATE UNIVERSITY

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CHAMBLISS. Mr. Speaker, I would like to honor Dr. Hugh C. Bailey an exceptional citizen from Valdosta, Georgia, on his retirement as President of Valdosta State University.

Dr. Hugh Bailey was first appointed president of Valdosta State University in 1978 and has served admirably for twenty-two years. As a long time educator, Dr. Bailey is currently a member of the American History Association, American Red Cross, the South Georgia Chamber of Commerce, the Georgia Council on Economic Education and has served as the national president of Pi Gamma Nu.

Dr. Bailey was born in Berry, Alabama, and earned his master's and doctoral degrees from the University of Alabama. Furthermore, Dr. Bailey presided over the transformation of Valdosta State College into Valdosta State University and he oversaw the growing of Valdosta State University to be one of Georgia's two regional universities. I am very proud that my daughter, Lia, was in the second of Dr. Bailey's Valdosta State Universities graduating classes.

Mr. Speaker, I am proud to recognize Dr. Bailey for his dedication to the future of our young people. He is an extraordinary citizen, and I am proud of his achievements and accomplishments, which have done so much to improve the lives of so many people in the Valdosta community and throughout Georgia. Dr. Bailey is a very good personal friend and

I salute him for his dedicated service to the field of public education in our great state.

AMERICAN DEMOCRACY WAS MUGGED

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. OWENS. Mr. Speaker, the words of William Shakespeare's King Lear are ringing loudly in the ears of many Americans: "Fool me not to bear it tamely; touch me with noble anger." The old trusting king had just been grossly betrayed by two of his daughters. Collectively this nation has reason for an anger comparable to that of King Lear. In America the democratic process has just been mugged by the U.S. Supreme Court.

As loyal citizens we must obey any decision of the court. But we are not required to restrain ourselves from vomiting. Thomas Friedman, on the New York Times Op-Ed page (December 15, 2000) provides a summary of the Supreme Court's election "fix" which is as accurate as any that I have seen thus far:

"... The five conservative justices essentially ruled that the sanctity of dates, even meaningless ones, mattered more than the sanctity of votes, even meaningful ones. The Rehnquist court now has its legacy: In calendars we trust."

So much was outrageous about this blatantly partisan decision that it would be unpatriotic if we fail to keep the review and scrutiny of all the factors surrounding this decree alive and active. It is our duty to be conciliatory in going forward with the governance of the nation. It is also our duty to support the peoples "noble anger". I submit that the following RAP poem is one of many literary missiles that should be fired at this evil dragon decision into the CONGRESSIONAL RECORD.

ROBBERS IN ROBES

The Florida mob just made a hit—American Democracy mugged; Scalia was the bulldog in the pit.

Call 911, FBI, the CIA, Priceless voting rights, just been snatched away; By robbers wrapped in fine black robes; decent nations must now launch probes.

Achtung! Now hear this! Attack bulldog Scalia, Unarmed but dangerous; Beware of his tenacious bite, Any good truth may attract his sight.

Right over justice thieves vaulted; Struggling patriots got assaulted.

Tell your kids about the Supreme Court, at supper before they eat; Don't let young minds discover, Obscene decisions out on the street.

Our votes were precious gems, Won with faith and sacred hymns.

Call 911, FBI, the CIA, Priceless voting rights, Just been snatched away.

American Democracy mugged!